

TRENDS IN CIVIC EDUCATION IN KENYA: REVIEW AND MAPPING STUDY, 1963 to 2001

REPORT

For the

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LIST OF ABBREVIATIONS

Civil Society Organisation	CSO
National Civic Education Programme	NCEP
The International Development Research Centre	IDRC
Terms of Reference	TORs
United States Agency for International Development	USAID
Constitution of Kenya Review Commission	CKRC
Education Centre for Women in Democracy	ECWD
Training of trainers	TOT
Focus Group Discussions	FGD
Civic Education	CE
Like-minded Donors	LiMiD
Non-Governmental Organisation	NGO
Community Based Organisation	CBO
Inter Party Parliamentary Group	IPPG
Government of Kenya	GOK
Member of Parliament	MP
Gross Domestic Product	GDP
Catholic Justice and Peace Commission	CJPC
Swedish International Agency for Development	SIDA
Ecumenical Civic education Programme	ECEP
Kenya National Council of Social Services	KNCSS

EXECUTIVE SUMMARY

Introduction

Over the last decade, civic education in Kenya has become an important strategy among civil society organisations (CSO) working in the governance and democracy sector for teaching democracy. CSOs have increasingly employed civic education for community education and mobilisation in the course of delivering programmes and activities. More importantly, civic education is perceived as a catalyst for creating and maintaining a vigilant and critical civil society, which can be one of the building blocks for creating systems of checks and balances towards ensuring State accountably and responsiveness.

One of the key findings of this civic education mapping study has been evidence of the growing influence of the governance and democracy civil society sector (NGOs and religious institutions) on the national platform in Kenya, since the early 1990s. Civil society with D/G civil society organisations at its helm, has succeeded in demanding concessions from the State and in the process defining and expanding the democratic space within the country. The effectiveness and influence that democracy and governance civil society organisations have gained in recent times, has been a direct consequence of their ability to mobilise grassroots support. Civic education has been used for mobilisation of communities and to overcome the "culture of silence" which prevailed in Kenya particularly from 1982 to 1989. During this time, the NGOs and religious institutions focusing on governance and rights issues were few in number.¹ They were alienated from the general populace and received little support for governance issues that they raised. Lack of popular support allowed the political establishment to dismiss these CSOs and the issues that they raised, labelling them irrelevant or elitist. Today the government has been forced to take the democracy and governance CSOs seriously and has had to learn to engage constructively with the sector, albeit with reluctance. The current constitutional review process and the presence of civil society representatives on the Constitution of Kenya Review Commission (CKRC) is testament to the significance of this civil society sector.

In the other development sub-sectors such as agriculture, health, education, water and sanitation, the growth in influence of civil society organisations and institutions going back to the early 1980s, was largely welcomed by the government. As the State found itself increasingly strapped for resources to provide development goods and services to its citizens, it allowed CSO actors to contribute in various ways. In many sectors, government has forged partnerships with various CSO organisations. In recognition of the important role performed by the development and relief CSOs, government promulgated relevant policies and legal regimes, which facilitated their participation and ensured that their operations could run smoothly. On their part, CSOs in these government friendly public sectors, sought to work closely with government, participating in policy development and often using government policy as a framework for developing and implementing their own programmes.

¹ In *A Directory of (Non-Government) Voluntary Organisations in Kenya (1988)* published by the Kenya National Council of Social Services (KNCSS), only one NGO the Public Law Institute established in 1981, had as an explicit objective among others, "...To foster and promote consumer protection and the rule of law in Kenya...". P.365. While only one donor operating in Kenya The Ford Foundation explicitly stated that it supported legal education. The KNCSS was until the formation of the NGO Co-ordination Board, the only national government appointed body which facilitated co-ordination between NGOs and donors and with government. As part of this role it registered NGOs and donors operating within the country.

In the case of the democracy and governance sector, the relationship between government and the NGOs and other civil society organisations, can rarely be described as cordial or friendly. The reason for this situation is that unlike the other development and relief sectors, the fundamental role of CSOs in the D/G sector, is to address the governance shortcomings of the government. Further, the D/G sector represents efforts of the citizens to participate and influence how they are governed, and how their resources will be allocated. Tension between the two entities can be exacerbated when CSOs seek to question or challenge the State outside of established channels such as parliament. Inevitably during such "questioning", the government and the CSOs take divergent positions on policy, some of which may have been promulgated by the former to limit the ability of civil society to freely participate in government in the first place.

Background of the Study

A broad spectrum of civil society organisations (CSOs) in Kenya have developed a National Civic Education Programme (NCEP) whose purpose is, "... Co-ordinated and enhanced support of general civic education projects (within indigenous CSOs) that seek to enhance a culture of constitutionalism in Kenya..."

Several donors are supporting the programme. The International Development Research Centre (IDRC) has funded and commissioned a Civic Education Mapping Study. The purpose of this study is to provide "... a qualitative assessment of all past civic education initiatives and, analyse the political and economic environment for civic education initiatives at the national and local level..."

Methodology of the Study

Extensive literature review was conducted in the course of the mapping study. Selected reviews, assessments and other documentation of civic education programmes were used as additional sources of information. Interviews and focus group discussions on a variety of topics and issues enriched the study further.

Key Findings

A summary of the key findings is presented below. The findings are divided into the relevant sections and correspond to the main chapters of the report for ease of reference.

Defining Civic Education

A. A definition of what civic education is, or is not, is one of the key conceptual and practical issues relating to civic education today. Various attempts by civic education providers to define civic education in the context of their work have been attempted. Just as there is no consensus on what civic education is, civil society organisations (CSOs) providing civic education are not always in agreement as to its purpose, yet this is an important issue. When the purpose of civic education is not clear, this lack of clarity is bound to affect the content as well as approaches and methodologies employed in the provision of civic education.

B. While use of the term "civic education" in Kenya can be traced to the mid-1980s, activities similar to and with the same purposes as civic education have been around for much longer. The People Empowerment Programme and the Development Education Programme (DEP) are the true antecedents of present day civic education in Kenya. They have a lot in common, but also much that is different. The DEP programme as implemented in Kenya is explored in this section.

Trends in the political and economic climate

A. The advent of the multi-party era in 1991 precipitated a growth in the civil society sector that led to the creation of a conducive policy environment for civil society organisations. In 1993 about 500 NGOs had been registered under the new NGO Co-ordination Act. In the year 2001, 2,100 NGOs were registered. Furthermore, NGOs addressing what had been hitherto considered to be controversial issues such as human rights and using virtually outlawed approaches such as civic education were now allowed by government to operate relatively freely. Conversely, the Kenyan economy, which had been a rare African success story, was during this time of political gains, in a state of decline, which has only continued.

Impact of Civic Education on Kenyan society

A. Today one of the impacts of civic education has been the growing assertiveness, which is developing in all spheres. Civic education providers report that the most successful civic education initiatives are those in which the individual is "transformed". The transformation allows individuals within a group to see themselves as capable of action. In early 1991 this transformation became evident all over the country in small and big ways and developed into what can be seen as "people power".

B. Before the beginning of the multi-party era, Kenyans were on the whole criticised continuously for being unassertive or apathetic. This characteristic was a constraint in many ways. Development agents and organisations experienced difficulty in recruiting the proposed beneficiaries of projects to participate actively in their implementation and management. On the political front, outsiders repeatedly expressed surprise at the tolerance of the Kenyan public in the face of the excesses of their leadership, who routinely violated people's rights at will, and abused their powers. Participatory community mobilisation and education approaches such as civic education were developed as one of the arsenal of approaches that aimed at encouraging participation.

Mapping of Civic Education in Kenya

A. Before the early 1990s, participation in the political arena was confined almost exclusively to the politicians, progressive churches, and professional organisations such as the Law Society of Kenya. Civic education efforts did not result in mobilisation of society to participate in political issues. The "culture of silence" that had been bred over the years through oppression and repression meant that people were largely unable to respond to the political elite's leadership efforts.

B. Since the inception of civic education programmes in the mid-1980s, CSOs have focused on women either as a point of entry into a community, or as an area of programme focus. The reasons for the gender focus of the programmes are several. In Kenya society, women at the community level have traditionally been members of groups, which engage in social, cultural or economic functions and are thus easily accessible. Another reason is that in the more repressive political eras from 1982 to 1991, before the re-introduction of multi-party politics, CSOs used women and women's organisations to "hide" early civic education from the attention of the State. In doing this CSOs were taking advantage of the fact that government did not see women and women's organisations as a source of political threats.

Impediments to provision of civic education

A. The challenge of poverty is a major impediment for civic education. Access to basic services is inadequate or very poor for the majority of Kenyans. In a recent survey, 40% of respondents

indicated that they had no access to clean water, 32% spend more than one hour to get to the nearest health facility, and only 11% have access to electricity.² This scenario has two implications for civic education. First, a majority of the citizenry are so caught up in the struggle for daily survival it can be difficult for them to be available for civic education activities. Secondly, in the midst of the struggles for daily survival, civic education can seem abstract.

B. Civil society organisations working in the civic education and human rights sector are a phenomenon of the 1990's and so tend to be organisationally weak. Many of today's civic education providers are thus less than ten years old—the Kenya Human Rights Commission, a leading civic education provider is celebrating its first ten years in 2002.

The relative infancy of civic education providers relative to other civil society sub-sectors is that the civic education providers tend to be programmatically and institutionally weaker. Many may lack functional governance instruments and adequate accountability mechanisms. When the institution is weak, its leadership can feel intimidated by civic education. In the *Kenya Civil Society Programme: Review of Access to Justice Projects*, the report authors argue that “organisational democracy not only builds a greater appreciation for the principles of democracy generally but also promotes organisational transparency and accountability”.

The infancy of the civic education sector has also meant that its capacity to implement programmes successfully is not fully developed. In some civic education organisations, personnel running civic education programmes lack specific training on how to conduct and implement civic education programmes.

Overcoming impediments to civic education

A. To overcome the challenge of poverty, some civic education providers seek to take civic education activities to where the people are, e.g. places of worship, markets, etc which reduces the cost (monetary and non-monetary) of participation and involvement. Theatre particularly lends itself to this strategy. Second, civic education providers seek to link their work with the people's daily struggles by demonstrating that today's manifest problems can only be solved tomorrow if there is a democratic, citizen sensitive, governance environment. Third, civic education approaches may be designed around the people's present needs; there is a lot of civic education to be done around famine relief and food security, and lack of access to water and the government's obligations to its citizens.

B. Emerging trends suggest that CSO civic education providers have embarked on a process of strengthening their organisations and developing modern management systems and structures. Use of such management planning tools such the Logical Framework and Strategic Planning was in evidence.

Past and present civic education approaches and methodologies

A. The current civic education approaches and methodologies in use today were developed through trial and error and experimentation by CSOs and communities in the past, particularly since the mid-1980s. Some of the methods were pioneered internally while others have come from international sources. The civil rights movement of the United State of America and the approaches and methodologies used by the anti-apartheid movement in South Africa and India's Mahatma Gandhi, have been particular sources of inspiration for the CSOs involved in civic education in Kenya. It has been fairly common to hear terms such as “peaceful civil disobedience” used to

² See Strategy and Tactics, (2001), *State of the Nation*.

describe some of the strategies and approaches used by CSOs to demand change from the government. Local sources of inspiration, have come from experiences from early civic education providers such as The Public Law Institute, women's organisations such as National Council of Women of Kenya and Oxfam (UK).

B. Civic education providers and civic education beneficiaries express a preference for participatory civic education because of the effectiveness of such approaches when compared to other non-participatory ones. Participatory approaches are non-passive. In the USAID Kenya study on civic education conducted in 1997, all the civic education organisations surveyed claimed to use 'participatory methodologies' implying that the use of such approaches is widespread in Kenya among the CSO civic education providers.

Civic Education Materials

A. Over the years, civic education providers carried out their work without a common curriculum. Training issues were usually decided on in-house on an ad-hoc basis. In 2001 several civic education organisations organised into four consortia working within the National Civic Education Programme, have developed a detailed curriculum for civic education titled '*Making Informed Choices, A curriculum for civic education*'. These consortia are Civic Education for Marginalised Communities (CEDMAC), Constitution and Reform Education Consortium (CRE-CO), Ecumenical Civic Education Programme (ECEP), and the Gender Consortium. The National Civic Education Programme is an initiative that promotes broad-based civic education. Today, the NCEP curriculum is the most comprehensive curriculum on non-formal civic education in Kenya.

B. More than 80 per cent of civic education materials surveyed, - booklets, posters, and stickers - sampled were only available in the English Language. Out of the sample, the Ecumenical Centre for Justice and Peace had the biggest number of Kiswahili titles (four). For that reason, a majority of the citizenry particularly in rural areas may not be able to fully use them. It is important that more materials be made available in the Kiswahili language and local languages in order to reach a wider readership. This is particularly important for *Making Informed Choices, A Curriculum for Civic Education* and *Making Informed Choices, A Handbook for Civic Education*.

CHAPTER ONE

1.0 BACKGROUND TO THE CIVIC EDUCATION MAPPING STUDY

1.1 General Background

A broad spectrum of civil society organisations (CSOs) in Kenya have developed a National Civic Education Programme (NCEP) with the objective of promoting general awareness of democratic principles, the practice of good governance, the rule of law and Constitutionalism.

Several donors are supporting the programme. The International Development Research Centre (IDRC) has funded and commissioned a Civic Education Mapping Study. This mapping study will provide background information on various aspects of civic education in Kenya that has been conducted in the past.

1.2 Objectives

The purpose of this study is to provide "... a qualitative assessment of all past civic education initiatives and, analyse the political and economic environment for civic education initiatives at the national and local level. Specifically the study has the following objectives:

- a) Identify CSOs carrying out civic education and how they are spread geographically. This will highlight areas that are under-served or entirely by-passed.
- b) Establish past and current civic education activities; the breadth and depth of the content and specifically assess the accuracy of the knowledge delivered;
- c) Identify past and current approaches and methodologies used to deliver civic education with judgements and preferences by respondents/learners;
Review and document the form and content of materials used in these exercises and preferences expressed by respondents/learners;
- d) Establish impediments to implementation of civic education and strategies that have been used to overcome them,
- e) Assess the impact of previous civic education activities;
- f) Assess the political and economic environment for civic education including issues around the constitution review process;
- g) Work closely with the technical Assistance Team of the Donor Steering Committee in carrying out this assignment.

1.3 Methodology

This study of civic education and civil society provider organisations relied on several approaches and techniques to collect and compile data. The study relied on literature reviews of past studies and reviews of civic education and the civil society sector. Annex 9 captures the bibliography of all reference materials. Reviews, annual reports, strategic plans, assessments and evaluations of civic education programmes of individual organisations were used to provide additional information.

The study also benefited from participation in several meetings and workshops, which were organised by civil society organisations in the area of civic education. Specifically, these were the CGD Workshop on Civic Education Materials of October 11th and 12th 2001. The NCEP Methodology and Monitoring and Evaluation Workshop held between 30th October to 4th November

2001 was also an opportunity to meet representatives from CSOs and Consortia within the civic education sector.

Interviews of individuals and Focus Group Discussions (FGD) of civic education providers and their target groups in both rural and urban settings were used to include some real life experiences and case studies into the report.

The media has been an invaluable source of information as a record of the political and economic climate for civic education and the constitutional review process in Kenya, during the period under review. The media as a source of information has been made much easier and much more extensive over a short period of time by the fact that much of the information is now available on the Internet on websites.

The mapping study received support from the NCEP mapping study for CSOs that have been supported under NCEP. Information from the NCEP mapping process has been included as part of the mapping study. This data provides the basis for mapping of civic education from the period 1998 to 2001.

The USAID Kenya civic education study 1997 and the evaluations and documentation of the Development Education Programme of the Catholic Church (1974 to 1982) were especially useful in providing comparative information on participatory community education and mobilisation initiatives and their impact in different time periods.

1.4 Constraints of the Study

There were constraints experienced during the course of the study. A major constraint common to the civil society sector is that information is patchy and difficult to obtain. Furthermore, information was solicited from CSOs in the form of a letter and matrices. Out of 112 letters sent to the CSOs only 12 responded and the information could not be used.

1.5 Presentation of the Report

The report is divided into 9 chapters. Where relevant, the study presents a desegregated analysis that captures findings in the context of beneficiaries of civic education, CSO providers and donors. Chapter one provides information on the methodology that was used to collect and compile information for the study. Chapter two conceptual and definitional issues regarding civil society, civil society organisations and civic education in Kenya. Chapter three is a discussion of the impact of the political and economic climate on the civil society sector and past civic education activities. Chapter four presents analysis of the impact of civil society organisations in the DG sub-sector and civic education in Kenya. Chapter five is a mapping study of civic education providers and their beneficiaries and donors. Chapter six presents the barriers to civic education and the source of these barriers and the strategies employed to overcome the barriers. Chapter seven presents the approaches and methodologies that have been developed and used to deliver civic education by the CSOs in Kenya. Chapter nine documents the materials generated for the delivery of civic education by CSOs in Kenya.

CHAPTER TWO

2.0 THE DEVELOPMENT OF CIVIL SOCIETY, CIVIL SOCIETY ORGANISATIONS AND CIVIC EDUCATION IN KENYA

2.1 Overview

Since the 1990s concepts such as civil society, civil society organisations (CSOs) and civic education have increasingly become common place in “development” jargon. Despite growing widespread use of these terms, however, they remain contentious because there is little consensus on how to define them. A recent article in the *Economist* of December --- 2001, discusses the definitional problems associated with the term civil society and civil society organisations. John Grimond notes, “...It (civil society) is universally talked about in tones that suggest it is a Great Good, but for some people it presents a problem: what on earth is it? ...”³ The definition given by the *Global Civil Society 2001* only serves to compound the problem. It states that, “...One thing that helps explain the present universal popularity of civil society is its very fuzziness: it can be all things to all people...”⁴ Similar arguments can be extended for the other two terms namely, civil society organisations and civic education.

It is not the purpose of this report to come up with final conclusive definitions of the three terms namely, civil society, civil society organisations and civic education. The report will, however, come up with working definitions, which will serve as a means of providing some boundaries for the study and for anchoring the discussion and analysis.

2.2 Motivations for Growth of Civil Society in Kenya: 1963 to 2001

The failure of African Governments to effect economic development has forced other sectors of society to search for alternative ways of reaching the elusive goal of sustainable development. The emergence and growth of the civil society sector has been such a response. Civic education represents one of the approaches to facilitate people’s inclusion and participation in their own development. The search for an alternative vision to development in the modern context goes back to the 1970’s.

In the first two decades after independence, Kenya was perceived as a success in development. Crowley, writing on the conditions that pertained in Kenya at this time, finds that

“Kenya during this time was viewed as a qualified development success. There was political stability and there was economic growth. Nairobi had emerged as an international metropolis, providing a base for two international United Nations secretariats and a great variety of development agencies.... Its excellent climate, its communication facilities and its relatively ‘central’ position as a hub for eastern, central

³ *The Economist* December ---2001. P. 16.

⁴ *The Economist* December ---2001. P. 16.

and southern Africa ensured that Nairobi functioned as a development pulse...⁵

Despite this positive scenario, problems were beginning to manifest themselves. These included the growth of slums and a downturn in economic performance. It was also becoming evident that the development assumptions that prevailed at the time, with their emphasis on the centrality of the state in defining and planning the development process, and a top down approach, were proving to be either inadequate or misplaced.⁶

A new approach, which emphasised development from below and required participatory approaches, emerged in a new development paradigm. Writing on this phenomenon, Michael Bratton has suggested that the emergence of Non-Governmental Organisations (NGO) has been as a direct consequence of the failure of government policies, together with the inability of established international aid bureaucracies to deliver services and to respond to felt needs at the community level. The reason is that these agencies, with their centralised systems, did not have the information or the flexibility to respond and adapt to local conditions. The Non-Governmental Organisations on the other hand were small (at least initially), and had little bureaucracy, were flexible in approach, and were able to get on intimate terms with local communities quickly. Bratton notes that Non-Governmental Organisations with programmes in relief and development arose to fill the gaps left by governments. By default as much as by design, these organisations were able to capture the lead in devising treatments for rural poverty in Africa.⁷

2.3 Defining Civil Society and Civil Society Organisations

Interest in recent times with the concept of civil society can be traced to the growth of NGOs all over the world that began in the 1970s. Julie Fisher traces the modern use of the term "civil society", to Latin America in the 1970s. She states that, "...intellectuals who were reacting against Marxism as well as right-wing dictatorship began to write about *sociedad civil*. During the 1980s, the term *civil society* reappeared in the writings of central and eastern European dissidents as they tried to carve out an understanding of social process that could stand in opposition to the state, while being broader and more humane than the market..."⁸

Civil society has been defined by some to include all organisations between the family and the state with the exception of business, while other definitions are broader and include the business sector. Michael Walzer has referred to civil society as "the space of uncoerced human association"⁹ and Victor Perez Diaz defined civil society as "markets, associations and a sphere of public debate".¹⁰

Scholars writing on civil society in Africa and Kenya specifically, have attributed the origins of the concept of civil society to three major sources namely, African communal life, the colonial

⁵ Jerry Crowley (1988), *Go to the People: An African Experience in Development Education* at p i.

⁶ All Africa Conference of Churches (AACC) and MWENGO (Reflection and Development Centre for NGOs in Eastern and Southern Africa) (1993), *Civil Society, the State, and African Development in the 1990 - Report of Study (and workshop) titled 'Receding Role of the State in African Development and Emerging Role of NGOs'* 1993, p 8.

⁷ All Africa Conference of Churches (AACC) and MWENGO (Reflection and Development Centre for NGOs in Eastern and Southern Africa) (1993), p 27.

⁸ Julie Fisher (1998) *Non-Governments : NGOs and the Political Development of the Third World*. Kumarian Press Inc. USA. P. 11

⁹ Quoted in Julie Fisher (1998). P. 11

¹⁰ Quoted in Julie Fisher (1998). P. 11

experience and the work of the Christian Churches.¹¹ Writing on the nature of civil society in Africa in recent times, scholars have attributed it to the fact that "...bad government gives rise to a certain set of ...economic policies on the one hand, and a "fraying " of state-society relations on the other ...(leading)... to simultaneous mass disengagement from state programmes and structures, and from the official or formal economy... (hence the distinct state-society dichotomy)..."¹²

For the purposes of this study, the Hegelian definition of civil society will be adopted as used by Kenyan scholar Mutahi Ngunyi. In this definition, "...civil society is that political space interposed between the state and the family. It is that assemblage of non-governmental popular institutions operating outside control but perpetually interacting with the state..."¹³ The definition will exclude for-profit organisations or businesses. In this context the media and media houses are excluded because of their for-profit motive. This report recognises, however, the relationship between all the sectors that makes sharp definitions difficult. Examples of exceptions or situations, which defy categorisation, abound.

2.4 Categories of Civil Society Organisations in Kenya

In Kenya several types of civil society organisations have been formed over time. The list of types of civil society organisations in Kenya is presented below. Religious based organisations are distinguished from secular organisations because of the different historical context of the two. The list is adapted from one developed during the 1993 report of the research on civil society, that was commissioned by the All Africa Conference of Churches (AACC) and MWENGO. Additional categories are included based on the changes in the civil sector that has occurred since the study was commissioned.

- ❑ **Relief and welfare agencies** are primarily involved in provision of relief services, such as food, water, and health to those who cannot afford such services and have been neglected by the government, as well as in situations of disasters. Examples include the Catholic Relief Services, Plan International, World Vision, and other organisations.
- ❑ **Technical innovation organisations** pioneer new or improved approaches to problems, and in the course of doing this, may implement programmes. They tend to remain specialised in their own fields. Examples include Intermediate Technology Development Group, Action Aid, and the Aga Khan Foundation.
- ❑ **Popular development agencies** focus on self-help, social development, and grassroots democracy. CARE Kenya, Oxfam UK, African Medical and research Foundation National Council of Women of Kenya, Catholic Relief services.
- ❑ **Advocacy groups and networks** refer to those organisations that have no field projects but exist solely for lobbying and education. An example is the Women's Political Caucus and the Institute of Economic Affairs.
- ❑ **Governance and democracy organisations** are devoted primarily to governance and democracy issues and employ a variety of approaches and methodologies to achieve their

¹¹ M. Bratton. (1989). Beyond the State: Civil Society and Associational Life in Africa". World Politics 41 (3): 407-430.

¹² Quoted by Mutahi G. Ngunyi. Building Democracy in a Polarised Civil Society: The Transition to Multi-Party Democracy in Kenya. In Oloka-Onyango et. Al. Law and the Struggle for Democracy in East Africa. Claripress Ltd. 1996. P. 255,256.

¹³ Mutahi G. Ngunyi. Building Democracy in a Polarised Civil Society: The transition to Multi-party Democracy in Kenya. In Oloka-Onyango Et. Al. Law and the Struggle for Democracy in East Africa. Claripress Ltd. 1996. Pg. 257.

objectives. Examples include Kenya Human Rights Commission (KHRC), Centre for Governance and Development (CGD), and Kenya League of Women Voters (KLWV).

- **Grassroots development organisations** are by far the largest and oldest. They are also referred to as community based development organisations. They are estimated to be in the tens of thousands Kenya. ¹⁴ They have disproportionate representation of women. Membership is drawn primarily from the poor and oppressed themselves. They offer entry points through which other development agencies access local communities.
- **Neighbourhood associations** are urban-based associations formed by residents in neighbourhoods to represent their interests, manage common neighbourhood facilities, and provide common services. These organisations have been formed in response to decline or collapse of services rendered by local authorities. In Nairobi, examples include the Karengata Association, Buru Buru Association, and Loresho Association etc.

2.5 The Religious Sector

The religious sector remains a key player in civil society. Kenyan society is intensely religious. While religious institutions have played an important role in development from the colonial era by providing education and health facilities. In post independence Kenya, religious groups continued to provide education and health services, but also started to venture into community development in the 1970s. The Catholic Church established a Development Department at the Kenya Catholic Secretariat while several dioceses appointed development co-ordinators.¹⁵ The Church's new mission had been inspired by a new vision within the Catholic Church, which described development as 'the progressive humanisation of life embracing liberation from famine, disease and ignorance, as well as emancipation from all servitude and domination'.¹⁶ Liberation theology, coming from the Church in Latin America, which argued that '...it is impossible to understand God and the Church unless these two concepts are tied to the everyday existence of humans...' ¹⁷ served to radicalise the Church all over the world, and in this Kenya was no exception.

2.6 The Development of Civic Education in Kenya

This section reviews several aspects of civic education in Kenya in order to situate and inform subsequent discussion of the subject. A definition of what civic education is, or is not, is one of the key conceptual and practical issues relating to civic education today. Various attempts by civic education providers to define civic education in the context of their work are analysed. Just as there is no consensus on what civic education is, civil society organisations (CSOs) providing civic education are not always in agreement as to its purpose, yet this is an important issue. When the purpose of civic education is not clear, this lack of clarity is bound to affect the content as well as approaches and methodologies employed in the provision of civic education. In the analysis below, civic education in Africa is posited as a key ingredient in the realisation of and defence of democracy and good governance. While use of the term "civic education" in Kenya is not old, activities similar to and with the same purposes as civic education have been around for much longer. The People

¹⁴ As an indication of the magnitude of this sector, surveys that estimated total numbers of women groups and membership conducted by the Women's Bureau Ministry of Culture and Social Services revealed the following figures for 1977, 1982 and 1984. In 1977 there were an estimated 8,000 women groups in Kenya. In 1982 there were 14,600 groups and 570,000 estimated members. Preliminary data for 1984 indicated 17,000 groups and 650,000 members. Quoted in Mazingira Institute. (1985) A guide to women's organisations and agencies serving women in Kenya. Nairobi.

¹⁵ Crowley. 1988. Pg. 8.

¹⁶ Crowley 1988. Pg. 6.

¹⁷ All Africa Conference of Churches (AACC) and MWENGO (Reflection and Development Centre for NGOs in Eastern and Southern Africa). Pg. 24.

Empowerment Programme and the Development Education Programme (DEP) are the true antecedents of present day civic education in Kenya. There is a great deal that these approaches have in common, but also much that is different. The DEP programme as implemented in Kenya is explored in this section.

2.7 Origins of Civic Education

Civic education finds its roots in participatory development theories that began to dominate the development world in the 1980s. Among other issues, participatory theories argue that "...empowerment through a process of increased participation in decision making and control over factors influencing ones social environment, is the crux of the creation of just social structures..."¹⁸ In practical terms this means that under the participatory approach, a small scale woman farmer or a worker in an industrial enterprise for example, should be empowered to manage the factors that influence their working and living conditions. Participatory development theory is based on the belief that people themselves have the potential and capability for addressing problems in their own social environment. They are able to demonstrate this ability if given space to realise this potential.

2.8 The Problem of Definition

In Kenya, the term 'civic education' can be traced to the early 1990s when it began to be used by civil society organisations. At the time, there was no consensus on how to define the term. Even today, trying to define civic education is not easy. In a 1997 study on civic education in Kenya conducted for the United States Agency for International Development (USAID), the report authors stated that "...there is no consensus among Kenyan NGO providers of civic education and donors on specific definitions, content, or impact indicators of civic education..."¹⁹ When attempts have been made to delineate what civic education is, the result has been a functional definition (what civic education seeks to *achieve*) and not a conceptual definition (what *is* civic education). Below, several functional definitions of civic education are reviewed.

In 1994, the Institute for Education in Democracy (IED) conducted workshops with the aim of 'actively contributing to strengthen the theory and practice of civic education in Kenya based on Kenyan realities and experiences...' ²⁰ Workshop participants attempted to define the term *civic education*. Reverend Japheth Gathaka, then head of the Department of Justice, Peace, and Reconciliation, at the National Council of Churches of Kenya (NCCCK) traced the interest of the NCCCK in civic education to July 1991. He defined the civic education initiatives of NCCCK as a means of generating conceptual clarity about human rights. For NCCCK and its member churches, the civic education campaign that followed involved addressing three main questions—"What is democracy?", "What are human rights?", and "What is the relationship between theology and democracy?" ²¹

The Catholic Church undertakes civic education under the Catholic Justice and Peace Commission (CJPC), which is a key organ of the Kenya Episcopal Conference (KEC). The Commission was formed in 1988 and charged with the responsibility of examining and studying problems related to

¹⁸ J. B. M. Kronenburg (1986). *Empowerment of the Poor: A Comparative Analysis of two Development Endeavours in Kenya*. Amsterdam. Koninklijk Instituut voor de Tropen. p 233.

¹⁹ Dart Thalman et al, (1997), *Civic Education Study for Kenya*, p 2.

²⁰ Institute for Education in Democracy (1994), *Towards a Common Curriculum for Civic Education Workshop Report* p 6.

²¹ Institute of Education in Democracy (1994), *Towards a Common Curriculum for Civic Education in Kenya Workshop Report*, p 8.

justice and peace as well as promotion of the same. The CJPC's definition of civic education is captured in two separate documents, the *Strategic Plan Report of March 2000*, and the 1999 *Participatory Civic Education Manual*.²² The *Strategic Plan* notes that the CJPC's broad objective is '...to awaken God's people to a full understanding of justice and peace issues, raise their awareness on the part that they should play in addressing these problems and conscientise the people to their duties in development, human advancement, peace and human rights...' ²³. The civic education manual develops the themes of the strategic plan by identifying three main tasks that the CJPC's civic education programme should achieve. These are preparing people to manage their development, i.e. help people find out who they are and hope to become, where they are headed and how to get there; helping people with knowledge, attitudes and skills necessary to successfully meet the challenges of decision-making; and ensuring that people begin to gain confidence about their role in the world of decision-making at the family, community and national levels. ²⁴

The definition of civic education by the Catholic Church is very wide-ranging civic education encompasses decision making at the family level, right up to participation in national decision making and participation in development initiatives.

An example of a narrower approach to civic education is alluded to in a research report by the Ecumenical Centre for Justice and Peace titled *Civic Education for Schools in Kenya*. The report authors state that;

“... Civic education refers to public knowledge or awareness, which equips the citizens with knowledge and skills to enable them cope with the social, economic and political problems or conditions around them. Civic education is not so necessarily different to civics...” ²⁵

This definition raises a conceptual problem in civic education that is common among civic education providers. They limit civic education to addressing the relationship between government and the people, ignoring the authority and power structures that are more immediate in people's lives. In the context of the report quoted, the immediate power structures are the school administration and school prefects.

In a report by the National Consultative Workshop on Constitutional Education, which was convened by the National Constitutional Education Facilitative Committee (NACEFCO), the objective of civic education and the role of civil society were articulated. The report states that;

“...The role of civil society organisations including the faith communities have been in the past two decades, at the centre of creating functional civic awareness among communities as effective instruments of facilitating good governance, democracy and nurturing sustainable development. The engagement of the civil society in community education and civic awareness actions is therefore based on the principle that all policy and decision making processes can only be

²² Christian Organisation Research and Advisory Trust (CORATAFRICA) (2000), *Strategic Plan for Catholic Justice and Peace Commission (CJPC)*. See also Catholic Justice and Peace Commission (1999), *Democratisation and Constitution Making: A Participatory Civic Education Manual*.

²³ Christian Organisation Research and Advisory Trust (CORATAFRICA) (2000), *Strategic Plan for Catholic Justice and Peace Commission (CJPC)* p. 6.

²⁴ Catholic Justice and Peace Commission (1999), *Democratisation and Constitution Making: A Participatory Civic Education Manual* p 6.

²⁵ Wanjohi Nick et al (1997), *Civic Education for Schools in Kenya*, p 4.

effective and result into sustainable development if they incorporate the principles of holistic community participation..."²⁶

The report adds that;

"...In terms of proposed methodologies and approaches the underlying principle demands the principle of participation by people to determine their needs, methods, educate themselves, monitor and evaluate the processes. The principle of facilitation demands that stakeholders at the national level contribute to the empowerment of the communities for them to be able to engage in their own education.... Full partnership will power change on the ground. Empowerment means aiding people to become in charge of their own lives through gaining new competencies by experience, rather than being told what to do by "experts". People participation is thus the most important aspect of the process..."²⁷

In the NACEFCO workshop, Okech Owiti of Centre for Legal Education and Aid (CLEAN) gave a functional definition for civic education that was wide and all encompassing. He stated that "...civic education (CE) (is) that education which provides members of the society and community with information which enables them to understand and relate to their environment, and to relate to each other in that environment"..."²⁸

As the foregoing review illustrates, there is no consensus on how to define civic education. The attempted definitions do, however, have several common themes, which include aspects discussed below. Civic education encompasses community development education and mobilisation approaches and methodologies that have been developed over time in the context of the participatory democracy school of political science. Civic education does not have to include a literacy component. Rather it focuses on the provision of information and methodologies that stimulate trainees to critically assess their objective conditions. These conditions can be social, political, economic or even family level. A key component of civic education is the need for action that comes from this knowledge and critical appraisal. The original target of civic education was the adult population. However over the last few years NGOs have started to venture into schools to work with secondary school children as well. The most successful approaches and methodologies for delivering civic education are those which are participatory in nature and require the "trainer" or "teacher" to move away from the traditional student-teacher relationship and to become a facilitator.

2.9 The Purpose of Civic Education

Since the 1990s, political change in Africa and elsewhere has created greater democratic space. This in turn has created room for participation of citizens in governance structures, systems, and processes beyond participation in elections. However, the availability of this new democratic space does not automatically lead to greater participation and a more democratic culture on the part of the government and the people. Years of authoritarian rule means that non-democratic values may be strongly rooted in the society's culture and may limit the ability of the "leaders" and the "led" to take advantage of this new democracy.

²⁶ National Constitutional Education Facilitative Committee (NACEFCO) (1999), *National Consultative Workshop on Constitutional Education Report* p 7.

²⁷ National Constitutional Education Facilitative Committee (NACEFCO) (1999), *National Consultative Workshop on Constitutional Education Report* p 7-8.

²⁸ National Constitutional Education Facilitative Committee (NACEFCO) (1999), *National Consultative Workshop on Constitutional Education Report* p 12.

Civic education providers make several assumptions about their role in a democratic society. The first assumption is that sustainable democracy can only be achieved in the presence of an active civil society that will act as a check and balance to ensure state accountability and responsiveness. Second, civic education providers and civil society have the role of rekindling people's trust and interest in political processes in a context where these processes have repeatedly failed them and become appropriated by a minority. Such an unhealthy political environment has often led to antagonism between governments and their people, a feature of political life that must be overcome in order to 'activate democracy'.

Powerlessness is perpetuated by deeply held social beliefs and attitudes. Steve Biko recognised this feature of oppression in apartheid South Africa and articulated the phenomenon as follows, 'The best weapon in the hands of the oppressor is the mind of the oppressed'.²⁹ This brings us to the original role of civic education programmes as developed by civil society organisations, which has been a focus on the minds of the so-called oppressed. In this original scenario, the oppressed were the poor the marginalised, the women, while the oppressor was the state. This over-simple dichotomy does not, however, adequately capture real life, where even the "oppressed" can be an oppressor in a different realm such as the home or the community.

Civic Education programmes in recent years continue to expand their scope as they gain practical experience from implementing activities. The strength of civic education is that its very amorphous nature and flexibility allows it to be a potentially all encompassing tool that can be used to address different situations among a variety of communities. The sector has started to work with workers, the trade unions and also to capture the youth by working with school children and their teachers. Like the development sector, the democracy and governance sector is beginning to explore interventions that involve a community. The Kenya Human Rights Commission (KHRC) has begun to work with communities as a whole in addressing human rights violation. The Commission believes that this is a logical step that will equip the community to resist human rights violations that arise from sources such as the police and the local administration to which all members of a community are susceptible. The current trend has involved the Commission responding to individual requests for assistance.³⁰

2.10 Historical Antecedents to Present Day Civic Education: The Case-study of the DEP/DELTA Programme

The Development Education Programme (DEP) can be seen as a precursor to the current civic education programme in Kenya. DEP was motivated by a quest for justice through the participation of people in their own development. The founders of DEP were inspired to develop the programme as a means of starting an adult education programme to train local leaders to work more effectively at grass-root level in development initiatives. The DEP vision was for a;

"Society based on human values which are found in authentic gospel values, a society which is just and self-reliant, where the basic needs of all are met in mutual care and concern. It is a society where there is a just sharing of resources, where men and women share equally, and all participate actively in decision-making."³¹

²⁹ From 1990 Movie *Cry Freedom*, based on the life and death of South African Freedom Fighter Steve Biko who was murdered by Apartheid security forces in 1977

³⁰ Interview with Wambui Kimathi, deputy Executive Director, Kenya Human Rights Commission.

³¹ Jerry Crowley (1998), *Go to the People: An African Experience in Development Education* p 12.

Specifically, DEP was conceived as a vision for social and individual transformation, thus several terms or names are used interchangeably that capture this transformational aspect. These include the following terms, 'training for transformation', the 'psycho-social approach', and 'conscientisation'. In an evaluation of DEP in 1998, it was noted that;

"...The true test of DEP - as a means to transform the conditions that create and perpetuate poverty - is its ability to create sufficient awareness, motivation, action and pressure that the situation of poverty is transformed. DEP's commitment to transformation roots development in questions of values and choices. This is its power, and what sets it apart from other participatory methodologies..."³²

The origins of DEP in Kenya can be traced to the work of Anne Hope and Sally Timmel who started a programme of in-service training for Catholic Diocesan community workers in 1974. Over a four-year period, Hope and Timmel developed a development education programme based on their experiences and those of their original trainees as they implemented development activities among target communities. The work of Hope and Timmel coincided with the fact that the Catholic Church had established the Development Department of the Kenya Catholic Secretariat. The Development Department adopted the Hope and Timmel approach because it coincided with the desire for an approach to development that '...fused the need to get things done, with the need to involve the people in the doing of them...' ³³

In developing their approach, Hope and Timmel borrowed and wove together '...five separate streams of insight - Paulo Freire's work on critical awareness, human relations training in group work, concepts of organisational development, techniques of social analysis, and the Christian concept of transformation'.³⁴ The result of this merging was a systematic approach to human development that became known as Development Education for Leadership and Team Action (DELTA). Administratively DELTA was a programme of the Catholic Church's Development Education Programme. By 1981, DELTA had become one of the most successful nation wide development movements in the world. From these origins in Kenya, DELTA has spread to other African countries, namely, Uganda, Zambia, Swaziland, Lesotho, Zimbabwe, South Africa, Nigeria, and Sierra Leone.

DELTA evolved into a phased training programme in which participating teams of trainers were given four weeks of training spread out over a year. The training programme that constitutes DELTA is a well-articulated programme, which employs conscientisation to achieve transformation. To achieve and sustain the process of conscientisation, the educational methodology used is in turn called the psycho-social method, which is another name for the Paulo Freire method of adult education. The psycho-social method that DEP adopted hinged on five closely related principles: (1) people themselves can bring about transformation, (2) the subject of development and the themes of education should come from the people themselves, (3) solutions to community problems must be found through dialogue, in order to promote creativity and the search for 'own' solutions, (4) education must be problem posing, and (5) development is an on-going educational process.

To support the conscientisation programme, the training was always conducted in the context of the community. This is because the community was seen as providing the productive base to meet

³² Harley Johnson, C. A. C (1998), *Rekindling the Fire: From Training to Transformation, An Impact Evaluation of the Development and Peace Development Education Program*, a paper presented to the Development and Peace Africa-Asia Program, p 3.

³³ Jerry Crowley, p 8.

³⁴ Harley Johnson, C. A. C. International, p s1.

the challenges of action-involvement confidently. The other aspect was recognition that proper organisation and management are a condition to motivate people in a coherent and goal oriented manner.³⁵

DELTA as a nation-wide grassroots movement ended in September 1982. Six weeks after the attempted coup of 1 August 1982, the Bishops' Conference made the decision to phase out DELTA. The closure of DELTA was a consequence of the government crack down on any activity that it construed as threatening its authority. DELTA had also become a victim of its own success within the church. The training was producing lay people who were questioning even the church, a feature that did not sit easily with some clergy at diocesan level and higher.³⁶ The DEP self-evaluation of 1982 found evidence for this when it revealed that although DEP's goal of conscientisation had not been achieved to the degree expected, its soul-searching questions provoked the worried attention of some church leaders. Fear of challenges to their theological and financial authority prevailed and soon after the coup d' etat attempt in 1982, the Catholic Church hierarchy decided to extend its control more firmly over the programme.³⁷

2.11 Ideological Roots of Civic Education

Although civic education is a relatively new term, the activities that constitute civic education or that can be defined as such, as well as its ideological foundations, are not new. Analysing civic education programmes over the years, it is clear – as the foregoing review of the DELTA programme illustrates – that similar activities have been undertaken. A review of early civic education activities such as those undertaken by the Public Law Institute from 1986 to 1988, reveal that in the early days of civic education, there was collaboration with DEP. In 1987, for example, the PLI was invited to provide legal education and litigation support, by the DEP trainers working with communities in Rombo Group Ranch in Kajiado District. The chapter 3.0 on impact of civic education, provides further details of this link.

Since the popularity of civic education in the 1990s, many of the new set of actors are unaware of earlier community education and mobilisation efforts and are therefore not tapping into the existing knowledge. Cognisant of this, the DELTA group has embarked on the process of recording the programme in a project known as "Rekindling", because of a sense of frustration with the current civic education process which is not making reference to the rich and useful history that constitutes DEP/DELTA.³⁸

This section briefly captures the ideological roots of civic education with the objective of making historical and conceptual linkages.

- Citizen action organising: This form of action is based on a Saul Alinsky organising model that was then further developed by the Midwest Academy in Illinois.
- Popular education theory and methodology: This education method was developed by Paolo Freire (a Brazilian educator). It was further advanced by practical experience in many countries around the world including Freire's continent of origin, namely Latin America. This method was geared towards the development of critical consciousness to equip people with the skills to

³⁵ J. B. M. Kronenburg (1986), *Empowerment of the Poor: A Comparative Analysis of two Development Endeavours in Kenya* p 81.

³⁶ Jerry Crowley, p ii

³⁷ J. B. M. Kronenburg, p 154.

³⁸ Interview with Adelina Mwau former DEP Trainer and executive Director of Women's Resource Centre one of the recently formed organisations that is participating in the "Rekindling" project.

analyse and change their situations. (This methodology has been captured in detail earlier in section 2.6 of this chapter.)

- Gender and development theory: This involves training and practice aimed at understanding and transforming gender relations of power in the social, economic, and political arenas.

Community development techniques and experiences: These include community-centred initiatives for participatory appraisal, research, and project design. They were developed in Kenya with collaboration between the National Environmental Secretariat (NES) of the Ministry of Environment and Natural Resources, Egerton University and Clark University in the USA. The recognition that “top-down” or the “blue-print” approach to development had failed in the 1980s led to the search for new approaches. The basis for what has been recognised, as one of the most effective development approaches is the simple principle that popular participation is a key ingredient in project planning. Put in other words, people will support what they themselves have created or developed. This principle led to the development of participatory methodologies, which are now not only widely accepted but also deemed essential by a wide spectrum of development organisations. Some of these methodologies fall under the names, Participatory Rural Appraisal (PRA) and Rapid Rural Appraisal (RRA). Gordon Conway and Robert Chambers developed RRA with support from the International Institute for Environment and Development (IIED) in the UK.

Marxist Ideologies: Before the collapse of the Soviet Union and the subsequent collapse of communism. Marxism was an important source of ideology for civic education type activities. “...Marxism is predicated on the belief that people’s ideas are conditioned by their economic environment and that economic change stimulates a dialectic conflict between the ruling and those ruled in society. The rulers use every available resource to keep themselves in power, but this effort is doomed to failure...”³⁹ Many African and other third World intellectuals were drawn to these theories which included the political as a central tenet of organising society. Further civic education or political education was part of life in socialist or Marxist countries. Before the collapse of Marxist ideologies, however, civic education type activities were eschewed by most western donors because of these links with Marxist ideology.

2.12 Civic Education Activities and Providers

From a review of available literature, and discussions with civic education providers, there is a wide range of activities implemented in furtherance of civic education. Put differently, civic education can be any one of the following diverse range of activities: civic education so-called, development education, education for democracy, paralegal education, human rights and legal awareness, rights awareness, civics, citizenship education, conscientisation education, and political education.

The organisations that provide civic education activities are also diverse. In a meeting of The National Consultative Workshop on Constitutional Education held in January 1999, 192 participants represented 150 organisations that claimed to provide civic education. Participating organisations can be classified into the following broad sub-sectors:

- Civic education, human rights, women’s rights, legal rights,
- Election related civic education such as voter education,
- Development (provision of basic needs, services provision of water, infrastructure development, relief etc)

³⁹ Leon P. Baradat (1988). *Political Ideologies, Their Origins and Impact*. Prentice Hall, New Jersey. p. 137.

- Faith organisations (Christian, Islamic, and others)
- Professional organisations (Legal, Accounting, etc.)
- Media Organisations and Media houses (print and electronic)
- Political Parties
- Civil Society Networks
- Civic Education Networks
- Community Associations
- Government Organisations
- Workers Unions

This wide range of activities and civic education providers illustrates one of the sources of the controversy surrounding civic education—conceptually civic education cannot be limited and neatly packaged because those who require the civic education very often define the content and approach. The providers may become providers either on purpose or by default as they are forced to respond to the needs of their target group. Today the prevalence of participatory approaches, in which civil society organisations work closely with communities and facilitate, rather than dictate development activities, can have civic education as a consequence. Some of these organisations may not even be aware that they are conducting civic education when they start to respond to requests for answers to the question “why” posed by their target group or by their staff as they implement development activities.

In another scenario, two organisations may undertake similar programmes and activities and may even employ similar approaches, but only one may define their activities as civic education while the other may be categorical in its denial that it does not engage in civic education.

2.12 The Nature of Civic Education in Kenya Today

Several features distinguish civic education today. First, is the ever-expanding reach of civic education in terms of geographic reach, (a point developed later in this report).⁴⁰ Today there are organisations working in areas, which, due to their remoteness or political sensitivity, were no-go-zones for civic education providers. Thus, a non-governmental organisation called Northern Aid is providing civic education among the nomadic pastoralists in Northern Kenya using camel caravans known locally as *Rukub* to reach the target group. The Education Centre for Women in Democracy (ECWD) focuses on the parts of the Rift Valley province, like Keiyo, among communities in areas that had hitherto been no-go areas for civic education providers.

The second is the increased scope of issues and topics that are now undertaken. Ten years ago, for example, civic education did not address inter-ethnic conflict or resource-based-rights issues. Third, the approaches that are now used have been piloted and tested over the last decade. The focus now is on participatory approaches, which have been found to be more effective.

The most important impetus to the growth of this sector is the fact that civil society and the general public in Kenya in the 1990s made demands on the State that culminated in the creation of a liberalised and conducive policy environment that precipitated the growth of civil society. This environment included CSO specific legal regimes in the form of the NGO Act. Although there continues to exist tension between the CSO sector and government in general, the growing

⁴⁰ See Chapter 4.0 Mapping Study of Civic Education

influence of this sector has meant that government may be reluctant but still allows registration of more and more organisations. In the case of civic education specifically, the government may sometimes express strong objection, even sometimes giving the impression that it will prohibit civic education activities, but this is very different from its draconian approach in the 1970s and 1980s. Civic education was then seen as a provocation and providers risked imprisonment, detention or worse. In 2001, through the Constitution of Kenya Review Commission (CKRC), a statutory body, the government has undertaken the role of facilitating civic education on the Constitution. To achieve this, the Commission proposes to work largely through CSO civic education providers and has even developed its own curriculum that closely mirrors the one developed by the CSOs under their National Civic Education Programme.⁴¹ This marks the first time that a State institution has consciously promoted non-formal civic education on the Constitution. In this new political environment, the donors have also contributed to the growth of the civic education sector by making increasingly more resources available for civic education programmes.

This study provides background analysis and data for the National Civic Education Programme (NCEP) by reviewing different aspects of civic education in the past. The NCEP represents an important development in the civic education story in Kenya, and is a milestone in this sector. The NCEP has as its purpose "co-ordinated and enhanced support to general civic education projects (with indigenous CSOs) that seek to enhance a culture of constitutionalism in Kenya." NCEP represents among other things the effort to standardise civic education in Kenya. NCEP has developed a common civic education curriculum, trainers' guide, and handbook. The formation of civic education consortia is another recent development. Today there are four consortia working under NCEP to provide civic education across the country.⁴²

⁴¹ NCEP Curriculum and CKRC Curriculum

⁴² These consortia are the Gender Consortia, Ecumenical Civic Education Programme (ECEP), Constitutional Reform and Education Consortia (CRE-CO), and Constitutional Education for Marginalised Categories (CEDMAC).

Table 2.0 Comparison of Civic Education with Development Education Programme, 2001

Comparison Point	Civic Education	DEP/DELTA
Vision	Unclear, many different organisations have their own vision	One common clear vision
Approaches and Methodology	There are several methodologies and approaches, which are not standardised, and have little theoretical or educational basis for their development. Unsystematic TOT programme with little sequencing. Except for paralegal programmes which involve legal training.	Well developed methodologies that uses the Psycho-social method for conscientisation. Systematic and phased TOT programme
Implementation	There are many different implementing organisations, with little or no real co-ordination.	Implemented generally under the churches and some other development partners. Still, the approaches and methodologies applied are the same.
Geographic Scope of Activities	National	National scope, but with strong links to international organisations that work with similar approaches.
Issue Scope	Wide ranging human rights, democracy, and governance focus.	Wide ranging with a development focus.
Impact	Impact less well documented but impact at all levels: Community, private sector, national government, and international level.	Impact well documented. Focus of much impact is at the community or grassroots level. Other countries have benefited from Kenya's pioneering approaches and methodologies.

CHAPTER THREE

3.0 THE IMPACT OF THE POLITICAL AND ECONOMIC ENVIRONMENT ON CIVIC EDUCATION IN KENYA 1963 TO 2001

3.1 *Overview*

In exploring the purposes of civic education, in section 2.5 of this study it emerged that civic education is rooted in the political and economic situations prevailing in a given country at a given period. There is a symbiotic relationship between civic education and the political and economic environment. Civic education seeks to ultimately influence and is in turn influenced by the prevailing political and economic environment.

In analysing the political environment and how it has influenced civic education, four time frames are used. These time frames had several political features that distinguished them and had consequences for the civil society sector generally and civic education type activities in particular. These are the Kenyatta regime (1963 to 1978), Moi regime I (1979 to 1991), and Moi regime II (1992 to 1997) and Moi regime III (1998 to 2001).

An assessment of the relationship between civil society, civic education, and the economic and political climate over the years reveals a complex interplay of factors. Comparing the trends between the political and economic climates since independence reveals a paradox. The advent of the multi-party era in 1991 precipitated a growth in the civil society sector that led to the creation of a conducive policy environment for civil society organisations. In 1993 about 500 NGOs had been registered under the new NGO Act. In the year 2001, 2,100 NGOs were registered. Furthermore, NGOs addressing what had been hitherto considered to be controversial issues such as human rights and using virtually outlawed approaches such as civic education were now allowed by government to operate relatively freely. Conversely, the Kenyan economy, which had been a rare African success story (1963 to 1987), was, during this time of political gains, in a state of decline, which has only continued. The discussion in this chapter will review the political and economic climates and their impact of the civil society sector and civic education from 1963 to 2001.

The economic environment is explored through a brief analysis of the nature of the Kenyan economy, with a closer look at the agriculture sector. A more in-depth analysis of one economic sector will allow the analysis to go beyond generalities and to provide a more detailed picture. The economy has been shrinking in recent years, and poverty has been on the increase. Economic decline has been due to a combination of external and internal factors such as global economic recession and widespread corruption. The linkage between economic decline and politics, civil society, and civic education is explored.

3.2 *Dual Politics in Kenya*

In an analysis of politics in Kenya, and elsewhere in third world countries, the student of politics has to take cognisance of a 'third force' and its influence in the political arena. The influence of the 'third force' is characterised by the existence of a dual policy regime. First, official government policy regimes exist side by side with unofficial policy regimes, which can be at variance. The degree of divergence in the official and unofficial policy is one of the factors civic education providers have had to contend with. Examples of changes in the constitution that came

about from IPPG I and II that allowed freedom of association makes a good example. This freedom is often violated by the State and its agents who prevent members of the public from meeting particularly in political contexts. For rural populations the local administration often simply ignore policy and legal changes which give the public greater freedoms. Second, dual policy creates a smoke screen for government, making it difficult for civil society organisations to engage government effectively. Because unofficial policy is not written, government can simply deny its existence and avow its commitment to official policy. Third, contradictory policy is a common phenomenon in Kenya; policy regimes related to a specific sector are sometimes contradictory.⁴³

Such policy ambiguities leave room for what has been termed "unofficial State repression" among other things. Concern among civil society at the rise of this form of repression has been on the increase. In 1997, four organisations from 4 different countries came together to launch a programme aimed at monitoring informal State repression. The four organisations included the Kenya Human Rights Commission (KHRC) in collaboration with London-based Article 19, the Durban based Network of Independent Monitors (NIM) and the Lagos based Civil Liberties Organisation (CLO). At a joint meeting in 1997, the four organisations defined the phenomenon as follows; "...Informal repression refers to State sponsored repression that is carried out through surrogate agents with the aim of disguising the involvement of the State in violation of rights."⁴⁴

The existence of unofficial policy offers challenges for civil society and civic education providers in terms of determining how to engage with the state, what issues to address, and how to address issues. Civic education aims to engage grassroots communities who very often exist in the realm of unofficial policy much more than official policy. Civic education that bases its assumptions on official policy can be irrelevant. Yet unofficial policy and those who enforce it often take their ability to violate official policy from the fact that the people that they encounter are unlikely to know their rights or to demand or defend them. Civic education providers require to engage at both levels and to give their target groups the ability to engage with their own objective situation.

3.3 The Political Climate 1963 to 2001

3.3.1 The Political Climate in the Kenyatta Regime (1963 to 1978)

Kenya became independent from British colonial rule on December 12th 1963. Jomo Kenyatta was the first Prime Minister and President from 1964, until his death in 1978. At the time of independence, Kenya faced severe problems related to cohesion of the ethnic and racial groups. These divisions had been encouraged by the colonial government as part of its divide and rule strategy. The ethnic divisions offered the most urgent challenge for the nascent Kenyan State because it represented the divisions between the large ethnic groups and the minority ethnic groups.

At independence in 1963, Kenya had a constitutional multi-party system. The two main parties were the ruling Kenya African National Union (KANU) and the opposition Kenya African Democratic Union (KADU). KANU had won the 1963 general elections and formed the government at independence. In 1964, KADU dissolved itself and merged with KANU. KANU and KADU were founded around the

⁴³ An example is the current government policy on school fees for primary schools. The Ministry of Education has stated that no fees or other payments will be paid by individual parents for primary school because primary school is supposed to be free. However, the same Ministry of Education, has stated that parents will come together and decide what to contribute towards the expenses of the primary schools. Most parents and school administrations have been reported in the press as ignoring this government directive because it basically cannot work. It is widely seen as an election year strategy.

⁴⁴ The Kenya Human Rights Commission (KHRC). *Annual Report, 1999*. p 6.

ethnic divides that pertained in Kenya at the time alluded to above. Writing about this period, Throup and Hornsby have noted that;

“...From the beginning of multi-party politics in Kenya, ethnicity proved to be more powerful than ideology in determining political loyalties. KANU was the party of the majority tribes, the densely populated, more rapidly differentiating ethnic groups, particularly the Kikuyu ... and the Luo.... By contrast KADU was the party of the smaller ethnic groups in the Rift Valley, in the semi-arid north and at the Coast...”⁴⁵

Ethnic alignment has continued to play a significant role in Kenya politics. Throup and Hornsby divide the Kenyatta era into six political periods are summarised in the table below.

Table 3.1: Analysis of Political Time Period during the Kenyatta Regime (1963 to 1978)

hase	P iod	Key Issues
(1)	1963-4	KANU's take over of KADU and the consolidation of the first single-party era
(2)	1964-6	Conflict between the left and right in KANU, leading to the formation of the Kenya People's Union (KPU)
(3)	1966-9	Multi-party competition between KANU and KPU; growing harassment of the opposition
(4)	1969-75	The mature Kenyatta system and the era of back-bench radicalism
(5)	1975-6	The murder of Josiah Mwangi Karuki and growing repression as the regime confronts left-wing Kikuyu opposition
(6)	1976-78	The twilight years: the 'Change the Constitution' Movement and the cash crop boom

Source: Throup and Hornsby (1998), *Multi-Party Politics in Kenya* p. 11.

KANU remained the dominant political party from 1964. Attempts to establish the Kenya Peoples Union as an alternative party in 1966 floundered when the government banned it and harassed its leadership. By the 1970s, through the co-optation of KADU members of parliament and their supporters, and the suppression of the ephemeral Kenya People's Union (KPU), Kenya had become a de-facto one-party state. The one-party state held sway to the death of Jomo Kenyatta in 1978 and beyond.

The Kenyatta regime routinely met challenges to its authority with brute force, detention, and political assassinations. John Keen was the first person to be detained without trial in 1965. In February 1965 Odinga Oginga's Asian ally, Pio da Gama Pinto was murdered. In a study by Dr Kannyo about the political environment of this years, he states that '...Kenya [was] a one party system, which tolerates a certain degree of debate. However, the limits of tolerance are vague but fairly narrow. Individuals who have posed serious political challenges have been imprisoned or killed'⁴⁶. The table summarises incidents of detention and alleged political assassinations during the Kenyatta regime.

⁴⁵ Throup and Hornsby (1998), *Multi-Party Politics in Kenya* p 11.

⁴⁶ Dr. Edward Kannyo, (1981) p 67.

Table 3.2: Detentions, Imprisonment, and Alleged Assassinations during the Kenyatta Regime, (1963 to 1978)

Year	Name	Nature of Political Intervention
1965	Pio da Gama Pinto	Alleged Assassination
1965	John Keen	Detention
1969	Tom Mboya	Alleged Assassinated
1972	Ronald Ngala	Alleged Assassinated
1975	J.M. Karuiki	Alleged Assassination
1976	Martin Shikuku	Detention
1976	J. M. Seroney	Detention
1976	George Anyona	Detention
1976	Mark Mwithaga	Imprisoned
1976	Chelegat Mutai	Imprisoned

Source: Throup and Hornsby (1998) p. 4 to 23.

General elections with more than one candidate competing for each seat were held in 1963, 1969, 1974, and 1979. The electorate exercised their rights by regularly voting out incumbent MPs. Defeat of several senior cabinet ministers was typical and the regime used general elections as a means of '...incorporating new blood, to remain informed of local grievances, and legitimate its power...' ⁴⁷

To conclude, by the time of President Jomo Kenyatta's death in 1978, Kenya had acquired a reputation for being one of the more open polities in Africa. Despite this positive assessment, contradictions of this era abounded. The same open and apparently benign state regularly employed brutal force and was guilty of appalling human rights violations. Periods of openness were interspersed with periods of repression as the regime attempted to maintain its political power base and to silence its critics.

3.3.2 The Political Climate under President Moi

The State under President Moi can be divided into three time periods. During these eras, the political climate was distinctly different because of events, policies and politics that pertained and response of the state to them. The time periods are identified as follows:

Moi Regime I (1978 - 1991) Creation of the Moi State

Moi Regime II (1992 - 1997) Re-introduction of Multi-party Politics

Moi Regime III (1998 - 2001) Review of the Constitution begins and Moi Succession Predominates

3.3.3 Moi Regime 1 (1978 to 1991) The Creation of the Moi State

The political situation in Kenya from 1978 to 1982 represents the transition after President Moi succeeded Kenyatta after the latter's death. In a comparative study conducted by Dr Edward Kannyo, reviewing human rights conditions in Africa in 1981, it was reported that Kenya was one of the few African countries, which had so far succeeded in effecting a peaceful leadership transition in the post-independence period. ⁴⁸

⁴⁷ D. Throup and C. Hornsby (1998), *Multi-party politics in Kenya*, p 22.

⁴⁸ Dr. Edward Kannyo and The International League for Human Rights (1981), *Human Rights in Africa: Country Profiles on Conditions and Activities related to the Promotion and Protection of Human Rights in Africa* (a Report Prepared for the Rockefeller Brothers Fund and the Ford Foundation) p 67.

On succeeding Kenyatta, Moi set about consolidating his power. Unlike the first president, whose authority came from having been the "Father of the Nation", Moi came to power after an attempt to block him from succeeding Kenyatta had failed. The attempt had been launched by powerful groups within and outside government. Unlike his predecessor therefore, his position was shaky. Throup and Hornsby note that during the first 12 months in office,

"...the new president made few mistakes, drawing universal praise for the smoothness of the transfer of power...The political restraints of the Kenyatta era seemed to have been lifted. The tension, which had pervaded the country during Kenyatta's last years, vanished as the new president asserted his authority. Kenyans praised themselves as the first black African state peacefully to transfer power under the constitution from one President to another..."⁴⁹

A cloud was cast on the political horizon in 1979 when KANU headquarters refused to clear former Kenya Political Union leaders, Oginga Odinga and Achieng' Oneko, to contest the 1979 general elections on a KANU ticket. Despite this hitch though, the 1979 elections were widely reported as probably one of the most competitive and open of Kenya's elections in the one party era. Table 4 below divides Moi's rule from 1978 to 1991 into 7 political periods.

Table 3.3: Seven Political Periods During Moi's Presidency: 1978 to 1991

Phase	Period	Key Issues
(1)	1978-80	President Moi establishes himself in office; directed by Vice-president Kibaki and Attorney General Njonjo
(2)	1980-82	Moi becomes increasingly independent, while Njonjo challenges Kibaki for the Vice-Presidency
(3)	1982-83	The attempted coup d'état and its aftermath
(4)	1983	Change of Constitution making Kenya a De jure one party state
(4)	1983-85	Njonjo's disgrace, the 1983 General Election and the Commission of Inquiry into Njonjo's affairs
(5)	1985-90	The mature Moi system and the attempt to create a party state
(6)	1990-Dec. 1991	Mounting internal pressure and external pressure for political pluralism
(7)	Dec. 1991-Dec. 1992	Re-introduction of multi-party era and the December 1992 general election

Source: D. Throup and C. Hornsby, (1998). P. 28

As Moi continued his move to consolidate his power, he moved against his erstwhile supporters. He began distancing himself from Charles Njonjo, his powerful Attorney General. Moi's authoritarian tendencies were beginning to manifest themselves. The political climate after 1982 was shaped by the failed coup attempt in August of that year. Rank and file members of the Kenya Air Force staged the coup. Throup and Hornsby note that the coup attempt '...transformed Kenya's political scene...' ⁵⁰ because it accelerated Moi's move for dominance in the political arena and his efforts to create a party state. In 1982, the constitution was changed to make Kenya a de jure one-party state, thereby legislating KANU as the only legal party. The renewed importance of the ruling party was a reflection of Moi's dominance and vice-versa. The dominance of the ruling party was used by government to control political debate. Inevitably, the political climate deteriorated. The ruling party

⁴⁹ Throup and Hornsby (1998), p 28.

⁵⁰ D. Throup and C. Hornsby (1998). *Multi-party Politics in Kenya*. East African Educational Publishers, Nairobi, Kenya. Pg. 32.

and the security forces were used by Moi to monitor public sentiment and to suppress opposition, while local party activists and prominent political leaders used it to silence their rivals.

Underpinning the dominance of party politics was Moi's ideology, which came to be known as the Nyayo (footsteps) philosophy. Kenyans adopted this so-called philosophy but with little commitment. A paranoid style of politics soon established itself as members of Parliament traded allegations and counter charges '...with little regard for the frailty of freedom of discourse in Kenya...'⁵¹ With the fall of Njonjo in 1985, and the demotion of Kibaki from the post of Vice-President in 1986, Moi became all-powerful.

The political atmosphere became increasingly repressive. By 1986, KANU delegates attending the ruling party's annual conference clashed with clergy from the National Christian Council of Churches of Kenya (NCCCK). The clash was caused by the government's decision to replace voting through secret ballot with 'queue voting' to elect Members of Parliament. Despite these protests, which were joined by the voices of other civil society organisations, such as the Law Society of Kenya, and sections of the media, queue voting was implemented in 1986 and used in the general election of 1988. This election is on record as introducing '...a new level of electoral malpractice into Kenyan politics, one which was to presage the demise of the ruling party...'⁵²

In 1985, the government had announced that it had exposed a plot to overthrow it, hatched by a group known as *Mwakenya*. What became known to the general public as the *Mwakenya* period of terror started. The Moi regime was to use this 'threat' to unleash terror on its citizens. Charges of treason and sedition were widely used and applied to silence critics, and to destabilise potential opposition. The public experienced this period as a time of intense political pressure. Reports in the papers and the rumour mills reported of ordinary people going to jail because they had been caught with 'seditious' publications or were suspected of being members of *Mwakenya*. The widespread misuse of this threat by the authorities led to public mistrust, even as it created fear and uncertainty.

In 1990, the assassination of the Minister of Foreign Affairs, Robert Ouko, and subsequent attempts by the authorities to cover-up the incident, precipitated a major political crisis. There were widespread street protests that forced the government to call in the Scotland Yard to assist in the investigations. Later, the authorities established a judicial commission of inquiry, which, however, was disbanded before it could complete its work. The Ouko incident seriously undermined the government's moral authority to govern because the 'street opinion' was that the government, or high-ranking individuals within it, were responsible for the assassination.

Throup and Hornsby add that;

"...The cost of political and business life rose, both in terms of the money needed to maintain an independent position when facing state-financed opponents, and the risk associated with political disgrace. For the inner circle, however, the financial rewards increased as corruption at the highest level of government grew...The regime increasingly

⁵¹ D. Throup and C. Hornsby (1998). Pg. 37. The paranoid style of politics arose from Moi's approach to leadership in which public officials in powerful offices such as cabinet ministers, high ranking civil servants and provincial commissioners derived their power from him directly and not from the offices that they occupied. Moi used various tactics to keep these "powerful" officials in a state of insecurity. A comparison of Ministerial dismissals from 1963 to 1991 is telling. Under Jomo Kenyatta (1963 to 1978) only one minister was sacked this was Masinde Muliro. Under Moi from 1978 to 1991 twelve ministers were sacked while 5 were forced to resign. (Information from D. Throup and C. Hornsby (1998). P. 46.

⁵² D. Throup and C. Hornsby (1998). Pg. 42

seemed to depend upon popular apathy and fear of the security forces..."⁵³

3.3.4 *Moi Regime II (1992 to 1997) Re-introduction of Multi-party Politics*

The 1990s have been called the second liberation for Africa, and in this Kenya was no exception. Although the leadership had previously declared that all opposition leaders 'would be hunted down like rats', internal and external pressure forced the government to give in and Kenya became a multiparty state in 1991. In the global context, the push for political pluralism in Africa in the 1990s can be traced to the collapse of state socialism in Eastern Europe in 1989/90. Several Eastern European countries, many with particularly feared regimes such as Romania, fell one after the other in a matter of months. An important feature of this collapse that became an example for African countries was what could be achieved by a united populace organised against a well-established authoritarian system.⁵⁴

There are two important features in the Moi Regime II (1992 to 1997). The first can be characterised as the early multiparty democracy period (1992 to 1997), which encompasses the two multiparty elections of 1992 and 1997. The defining characteristic of the 1992 to 1997 period is that multiparty democracy values sought expression in a legal, constitutional, and political environment that was not supportive of democracy. Second is the increasing influence that Civil Society and civic education as a tool of mass mobilisation came to play in society.

Table 3.4: Political Periods during Moi Regime II and III (1992 to 1997 and 1998 to 2001)

Phase	Period	Key Issues
(1)	Dec. 1992-1993	The multi-party era and the December 1992 general elections, Ethnic Clashes
(2)	1993-1994	KANU reconsolidate its control while the opposition proves ineffective
(3)	1994-97	Civil society mobilises for comprehensive constitutional reform
(4)	1997	Limited constitutional reforms, IPPG I, to facilitate general elections, Ethnic clashes move to the Coast province, Second multi-party general elections, KANU wins again
(5)	1998	IPPG II Civil society continues to agitate for more constitutional reforms government again concedes with minimal reforms, KANU consolidates, opposition thrown into disarray when Raila Odinga's NDP starts "co-operating" with KANU
(7)	1999-2000	State agrees to comprehensive constitution reforms but delays the start of the process
(8)	2001	Constitutional review begins, Post-Moi succession debate dominates political scene

Source: D. Throup and C. Hornsby, (1998). P. 28 to 236.

The return to a de-jure multiparty state in December 1991 was euphoric. The Forum for Restoration of Democracy (FORD) which had been launched as an umbrella organisation for all interests and individuals committed to the repeal of Section 2(A) of the constitution and to the establishment of multi-party politics, was quickly registered and became a political party. It attracted new recruits as politicians abandoned KANU in droves. Throup and Hornsby capture the stature of FORD at this time when they note that, "...FORD was transformed swiftly into a government in waiting, seemingly certain of victory at the next general election, due within a year..."⁵⁵ However, FORD's ascendancy

⁵³ D. Throup and C. Hornsby (1998), *Multi-party politics in Kenya*, p 50.

⁵⁴ All Africa Conference of Churches (AACC) and MWENGO (1993), *Civil Society, the State, and African Development in the 1990s - Report of Study (and workshop) on Receding Role of the State in African Development and Emerging Role of NGOs* p 10).

⁵⁵ D. Throup and C. Hornsby (1998). p 92.

to power was soon dashed as internal conflicts within the new party caused rifts and there was proliferation of new splinter parties. The source of this conflict include, "...divisions between different ethnic groups, and generational conflicts between old-guard politicians and the Young Turks (as they became universally known), the young professionals who had spearheaded change..."⁵⁶

By 1992, there were several new splinter parties set-up by former FORD members, as well as the registration of even more opposition political parties. As a pattern, the new opposition political parties were organised around ethnic blocks. The most important new political parties included FORD-Kenya, which comprised the original FORD and was led by Jaramogi Odinga Odinga and was the most ethnically diverse of the opposition parties. FORD-Asili emerged led by Kenneth Matiba forming an alliance with Martin Shikuku, a veteran oppositionist politician from the Luhya community. Kenya National Congress (KNC) led by George Anyona from the Kisii community, the Democratic Party of Kenya (DP), Social Democratic Party (SDP) fronted by Johnstone Makau.

In 1997, new realignments of the same faces and forces continued. Some of the first generation political parties which had been important such as FORD-Asili which had come third overall lost much of its support because of leadership wrangles which caused even its founder Mr. Kenneth Matiba to decamp and set up a new party FORD- People in 1996 and then FORD-Saba Saba in 1997. This new FORD splinter party was denied registration by the government. National Democratic Party (NDP) became an important player by becoming the new home for Raila Odinga, the son of Jaramogi Odinga and the Luo ethnic group as a block. This move had come about after Raila Odinga (son of Jaramogi Odinga the first Chairman of FORD-Kenya) lost a bid for leadership in FORD-Kenya.

Unsuccessful attempts to forge opposition unity in 1992 and again in 1997, initiated at different times by political parties and members of civil society were a common feature, which contributed to KANU's success in both multi-party elections. In 1992, the leaders of opposition parties brushed aside efforts by civil society actors for meaningful constitutional reforms before the elections aimed at creating a level playing field for all participating in the general elections. The 1992 elections were conducted under the single party constitutional order while opposition votes were split by the presence of many political parties and presidential candidates making it impossible to defeat the incumbent KANU regime. Needless to state, President Moi and KANU defeated the opposition challenge.

A common feature that the two multi-party elections, 1992 and 1997 had, was the emergence of ethnic clashes. In 1992 as the political parties prepared for the general elections, the so-called "ethnic clashes" which had started in November 1991 after president Moi's "prophecies"⁵⁷, continued to spread from their original site in Miteitei farm a settlement scheme in Tinderet Nandi District. By 1992, the clashes had spread far beyond their original site and engulfed the whole border country of Rift Valley, Nyanza and Western Provinces. The impact of these clashes on the Kenyan political sphere at the time was captured by the "Weekly Review" which noted, "...whatever its causes, the

⁵⁶ D. Throup and C. Hornsby (1998). p 92.

⁵⁷ Source, Mugambi Karanja Assistant Editor, *East African Standard* paper presented for 3rd Editor's Roundtable organised by African Women and Child features Service. On *portrayal of Ethnic Clashes and Violence by Kenyan Media*. " On December 10, President Moi told a Central Bank of Kenya luncheon he believed Kenyans feared they were headed for an uncertain future following KANU's decision to allow other political parties. He also made remarks that have become a sort of trademark "prophecy" of his in regard to the impact of plural democracy. "I see chaos ahead of us. This decision (to allow plural democracy) may not be to the benefit of Kenyans". P. 2

ethnic violence has poisoned the country's political atmosphere and made it difficult for the establishment of a workable pluralistic system in which ethnic and other interests are subordinated to national interests...⁵⁸ One of the consequences of the clashes was to heighten the already charged ethnic divisions in society by creating siege mentalities among ethnic groups that were the main victims of the clashes namely, Kikuyu, Luhya, Kisii and Luo. This ensured that there was even less ability for these groups to co-operate and unite with each other and with other ethnic groups. The Clashes continued until 1993, when they were brought to an end only after internal and international pressure had been brought to bear on the government to put an end to them.

During the campaign for the 1992 general elections, KANU went about fighting back to re-establish itself and its supremacy by inducing defections from opposition politicians. KANU continued to use defections as an effective tool that decimated the ranks of the opposition parties and created the impression among the populace that KANU was invincible during the course of the life of the 7th Parliament.

Ethnic clashes at the time of the 1997 general elections spread to other regions that had not previously experienced them namely Coast province. As a premier tourist destination, the negative impact on the economy that these clashes were to have on the tourist industry, which had become the country's number one foreign exchange earner was devastating. Tourism plunged as bookings were cancelled.

3.3.5 *Moi Regime III (1998 to 2001): Review of the Constitution and Moi Succession Predominates*

The period after 1998 saw a major realignment of the political landscape motivated by three factors. First, because KANU had only a nominal parliamentary majority of 4 seats after the 1997 elections, it needed partners to be able to manage its legislative agenda and avoid the destabilisation of government through votes of no confidence. Secondly, the KANU establishment was keen to ensure its continued hold on power after the last of President Moi's term in 2002. Third, political leaders from the opposition began to explore the post-Moi landscape. The result was a gradual marriage of convenience between the ruling party KANU and the National Development Party (NDP), an opposition party led by Raila Odinga. In 2001 there were on-going attempts to merge the two parties into one.

Constitutional reform took centre stage during this period culminating in the establishment of the Constitution of Kenya Review Commission, a statutory body charged with managing key aspects of the constitutional reform process. The Commission's primary task is to collect the people's views and draft a Constitutional reform bill for submission to Parliament. By mid 2001, an alternative reform programme fronted by civil society and faith groups, the so-called *Ufungamano Initiative*, merged with the KANU and NDP fronted Commission. It remains unclear how successful the Commission will be. Parliament has yet to entrench the Commission into the Constitution, as agreed during the merger. It is also feared that the period between now and the 2002 elections is too short for comprehensive review, and the Commission may not complete its work. This may lead to another IPPG like constitutional reform initiative.

⁵⁸ *Weekly Review*, 13 March 1992, p. 18-19

3.4 Civil Society, Civil Society Organisations and Civic Education from 1963 to 2001

3.4.1 The Kenyatta Regime (1963 to 1978): Civil Society in Bed with Government

During the Kenyatta era indigenous civil society's ability to mobilise and work effectively at the national and international level was limited. As in the government spheres, Africans were in the process of developing this capacity. Civil society at the grassroots level was, however, alive and vibrant. Much of this form of civil society was based on traditional forms of socio-cultural and economic co-operation. As the traditional society was still largely intact, traditional forms of association formed the bedrock of civil society. These included women groups, clan groups, village committees, and development committees of various forms. The Kenyatta government made use of society's ability to organise and mobilise resources by launching the *Harambee Movement* as a means of harnessing additional resources in support of governments development efforts.

The *Harambee Movement* worked by enabling civil society to come together to raise financial and material resources towards projects such as construction of schools (*Harambee schools*), community bursary schemes, community water supply systems, community centres, dispensaries, social welfare activities and many other efforts.⁵⁹ The *Harambee Movement* and the government's role in initiating this essentially civil society project, meant that the Kenyatta government welcomed and actively encouraged the participation of civil society in the development arena. A partnership developed with all non-state development and relief actors, namely local NGOs, community based organisations, international NGOs and foreign donors. In some cases, government supported some of the CSOs by providing funding to a number of local NGOs. These include, Kenya Girl Guides Association, Young Women Christian Association, Arangai Women Welfare Association, Maendeleo Ya Wanawake Organization, National Council of Women of Kenya (NCWK).⁶⁰ By the end of the Kenyatta era in 1978, figures for the total number of registered NGOs both indigenous and foreign operating in Kenya vary from 124 to 160. Of this total 80 were indigenous.

Legal regimes managing the sector can be viewed as having been quite relaxed. To operate, community based organisations (CBOs) needed to register with the local administration, and or with appropriate government ministries. For women groups for example this was with the Ministry of Culture and Social Services. For NGOs, both foreign and local and for foreign donors as well, registration was with the Kenya National Council of Social Services (KNCSS). The KNCSS was founded in 1964, "...to facilitate promotion and co-operation and collaboration in all aspects of voluntary Agencies Department Activities in Kenya. In 1971 the government drew up Sessional paper No. 7 which clearly defined the mutual responsibilities and relationships between NGOs and the Government. At this time the KNCSS notes that there were 129 NGOs which were pioneer members.⁶¹

The focus of civil society organisations during the Kenyatta era was in the following sectors, relief and development, population and family planning, employment, agriculture, water and sanitation, education and training, health and food and nutrition. What is referred to today as the democracy and governance sector had not become an issue. It is important to note that many of the pre-independence not-for-profit organisations did indeed have political objectives, which included ultimately struggle against colonial rule. However, after independence, the Kenyatta regime discouraged civil society's participation in politics outside of the established parliamentary and civic

⁵⁹ Mazingira Institute (1985). A guide to Women's Organisations and Agencies Serving Women in Kenya. P. 289.

⁶⁰ Mazingira Institute (1984). Directory of Women's Organisations in Kenya. "84. p.7 to 12

⁶¹ Kenya National Council of Social Services (1988). A Directory of (Non-Government) Voluntary Organisations in Kenya. P.46.

systems. Actions by the Kenyatta regime which denied registration of other political parties and thus contributed towards the creation of the de facto one party state was evidence of the regime's desire to control of the political sphere. Further evidence was the non-registration of the politically motivated pre-independence civil society organisations. The ones that did receive registration and that featured in the records of the KNCSS were those that did not pose a political threat to the government these included, Kenya Scouts Association, East African Women's League, Maendeleo Ya Wanawake.

The state of other sections of civil society at the time contributed to the largely apolitical nature of civil society at this time. At the national level, the major trade union, the Central Organisation of Trade Unions, (COTU) which was the umbrella union for other trade unions, had been co-opted by government. Though nominally free, it had to exercise self-censorship in light of authoritarian political systems. Workers required government permission to stage protest strikes, an indication of government's pervasive control of the workers' movement. Individual trade unions were weak as well. The Law Society of Kenya, a statutory professional body for lawyers, had a narrow focus, and shied away from politics. The same was true of the International Commission of Jurists, a voluntary association of lawyers and judges. European and Asian lawyers dominated both organisations, since there were few African lawyers. International non-governmental organisations active in Kenya at the time, such as Care Kenya, Christian Children's Fund, and Acton-Aid, implemented direct service delivery programmes and avoided advocacy initiatives.

Despite its largely apolitical nature, there were some civil society organisations which overtly included a political agenda among their objectives. Various records reveal that the Maendeleo Ya Wanawake Organisation (MYWO) "...was established in part to train African women in (political and community) leadership at the local level. By the late 1950s, African women were preparing themselves for national leadership positions in the organisation...."⁶² The other organisation with a political bent was also a women's organisation. This was the National Council of Women of Kenya (NCWK), which was started in 1964. One of its objectives reads as follows, "...To stimulate women in duties and rights of good citizenship, responsibilities and obligations to family and society....To communicate with the Government on issues affecting women and children..."⁶³ The NCWK and its membership were in the forefront of representing the interests and rights of women. In 1975, they were able to lobby the government successfully to legislate in favour of for a two-month maternity leave for women.

In a study on Human Rights in Kenya, Dr. Kannyo noted that there was some interest in human rights activity during this period. Representatives from the National Council of Christian Churches of Kenya (NCCCK) and the All Africa Council of Churches (AACC) had attended some international meetings on the issue. In these meetings, most of the representatives were from government.⁶⁴

3.4.2 *Moi Regime I (1978 to 1991): Rifts Emerge between Civil Society Organisations and the Government*

Moi Regime I (1978 To 1991) was characterised by an increasingly authoritarian state, which, like its predecessor, routinely used detention without trial, imprisonment and political assassination to contain its critics. The difference between these two regimes is that Moi Regime I, took repression to ordinary people while the former regime tended to keep it in the realm of the professional political

⁶² Mazingira Institute (1984). *Directory of Women's Organisations in Kenya*. "84. p. 8.

⁶³ Ibid. p. 9.

⁶⁴ Dr. Edward Kannyo (1981), *Human Rights in Africa: Country Profiles on Conditions and Activities Related to the Promotion and Protection of Human Rights in Africa* (a report Prepared for the Rockefeller Brothers Fund and the Ford Foundation) p 69.

classes. Through "schemes" and machinations such as the Mwakenya saga even ordinary people became victims of orchestrated state terror. Any member of the populace was at risk of being accused of membership of an illegal organisation, the other ploy of this State terror was that ordinary people were "found" in possession of seditious material and tried in court and imprisoned.

Against this backdrop of State repression, indigenous civil society⁶⁵ continued to grow in numbers, geographic spread and diversity. In so doing they began to gain an imprint on the national platform and to develop a separate identity as they emerged from under the paternalistic "wings" of government that had defined their relationship to the state during the Kenyatta regime. By the end of this era, civil society and government relations was often antagonistic.

Civil society organisations in the form of Non-Governmental Organisations (NGO) became a phenomenon in development in general. Although this form of organisation had been in existence before the 1980's the issues the NGOs addressed and the emergence of a new professional organisation raised the NGOs profile. (Issues related to civil society are discussed in greater detail later on in the report in the Mapping section.)

There were several reasons for this new trend. First, there was a shift in the dominant development ideology. Commenting on this situation in 1993, a report commissioned by All Africa Conference of Churches (AACC) and MWENGO, noted the following,

"... Neo-colonial assumptions of development had concentrated on the centrality of the state in defining and planning the development process. This top down approach has obviously failed, as shown by sharp downward trends of economic indicators for the continent (Africa) for the past two decades..."⁶⁶

The dialectical opposite of the top-down approach was the emergence of community organisations, which offered a new approach to development.⁶⁷ The result was a new development paradigm that stressed a participatory bottom-up approach, which put people at the centre of development initiatives. This approach was pro-civil society and supported its growth in all its permutations, namely NGOs, community based organisations, and religious based organisations and professional associations to name just a few.

Second, failure on the part of government to deliver the development goods and services and to reach the poor majority opened up the search for alternatives. The NGO offered an instrument which was perceived to be more efficient, had less red tape, could get closer to its proposed target group and do so at much reduced over-heads, taking less time to do so than government.

Third, the religious sector of civil society began to respond to state violations and excesses. Within the Catholic Church, liberation theology, which had its roots in Latin America was used to justify the link between the spiritual and material. This link culminated in the formation of the Catholic Justice and Peace Commission (CJPC) in 1989, which localised issues of justice at the community level by bringing justice and peace concerns of the flock to the attention of the Church. The Protestant

⁶⁵ Indigenous civil society consists of those CSOs both religious and secular, which were formed or led by Kenyans citizens.

⁶⁶ All Africa Conference of Churches (AACC) and MWENGO (Reflection and Development Centre for NGOs in Eastern and Southern Africa) (1993). *Civil Society, the State, and African Development in the 1990s. Report of Study (and workshop): Receding Role of the State in African Development and Emerging Role of NGOs*, p 8

⁶⁷ All Africa Conference of Churches (AACC) and MWENGO (Reflection and Development Centre for NGOs in Eastern and Southern Africa) (1993). p 8

churches meanwhile had experienced radicalisation that made them start commenting on issues of governance much earlier in the early 1980s. Through the National Council of Churches of Kenya (NCCCK) these churches had begun to take on the regime and to bring attention to its violations. Reverend Muge a cleric of the CPK paid the ultimate price when he died in mysterious circumstances in 1989.

The Kenya National Council of Social Service directory of 1988 records 480 NGOs. Of these about 20% or 114 were indigenous. A growing number were secular NGOs which is the sector which had begun to experience the greatest growth, changing the profile of civil society which had previously been dominated by religious sector institutions. Mazingira Institute's directory of 1984 brings a new dimension to the civil society sector by recording 54 local women organisations. The KNCSS records 22 sub-sectors⁶⁸ in which CSO participated while the same source records that CSOs were distributed among all the 41 districts that were in existence in Kenya by 1988.

The number of NGOs and for that matter donors who explicitly stated that they engaged in activities related to either civic education or politics were still very few. In addition to the two mentioned in the Kenyatta era, these now included, the Public Law Institute registered in 1981 and started operations in 1983 and the Women's Progress Limited established in 1981. Both started among the list of objectives, their intention to launch legal education activities.⁶⁹ The only donor explicitly stating support for activities in the political or governance sphere at this time was the Ford Foundation.

In 1988, a wide variety of NGOs still numbered the government among its donors receiving support in both cash, material and personnel terms. These included, Kenya Association of Youth (Funding from Ministry of Culture and Social Services), Kenya Energy and Environment Organisations Association (KENGO) (cash and materials from Ministry of Energy and Regional Development) Association for the Physically Disabled of Kenya (Ministry of Health), Family Planning Association of Kenya (Ministry of Health).⁷⁰

A feature of the 1980s is that civil society became more prominent than in the Kenyatta era. Despite this growth in influence, there were still no legal regimes that had been enacted for the sole purposes of managing the NGOs. The Kenya National Council of Social Services was still the "...i) only national government appointed body which facilitates co-ordination among NGOs themselves and between them and government..."⁷¹ The KNCSS notes that even in 1988, "...Legally in Kenya NGOs are either registered under the Companies Act as Companies Limited by guarantee and not having share capital or under the societies Act as societies or associations. NGOs registered under different legal options that were really meant for other forms of organisations. It was not until 1990 when the government enacted the NGO Act and set up the NGO Co-ordinating Board. NGOs themselves formed an NGO Council in 1990 as they collaborated in an effort to prevent the proposed NGO Bill from being an instrument for government control, rather than an instrument that would create a conducive legal environment for their operations.

Civic education type activities such as those undertaken under the DEP programme or in the form of legal education as carried out by the Public Law Institute, was perceived as contentious by both the government and civil society. The government perceived it as a tool that could be used to mobilise the people to overthrow the government. For the few providers that existed and the general public, it was seen as a mechanism for equipping the people with the skills to survive oppression or as

⁶⁸ See table 5.12 chapter five for complete list of sub-sectors

⁶⁹ Mazingira Institute (1985). P. 62 and KNCSS (1988). P. 365.

⁷⁰ Kenya National Council of Social Services (1988). A Directory of (Non-Government) Voluntary Organisations in Kenya. P. 247 and 257 to 258.

⁷¹ Ibid. p. 46

'...something used by citizens as a weapon against the government...' ⁷² As such civic education was tolerated only if the government did not feel threatened by the issues raised. The government's attitudes to civic education of this era continues to influence how it perceives civic education today. Although there is pro-civic education official policy, backed by new legal regimes that protect the rights of association of the citizens, unofficial pronouncements from time to time reveal unease and even reluctance to allow civic education to be conducted freely in Kenya.

3.4.3 ~~The under~~ Moi Regime II (1992 to 1997): Rise of Democracy and Governance Sector within Civil Society and use of Civic Education

A distinguishing feature of the Moi Regime II (1992 to 1997) was that for the first time, government was not solely responsible for all the crises that precipitated change. Civil society took part in creating much of the crises and the related change that took place. Crises and change in this era was not thus merely a struggle between forces within government for the political or economic realignment of the status quo. Rather it became increasingly evident that civil society had evolved into a political, economic, and developmental force and was able to influence events. Commenting on this function of the new stronger civil society in Africa, Dr. Nyang'oro states the following,

"...Individuals and groups within civil society seek to expand their political and economic space. States on the other hand have a tendency towards centralisation. How the two interact at one level really determines the nature of democracy...This presumes a strong civil society which cannot be overwhelmed by the state as was the case in Africa in the last 30 years..." ⁷³

This change was related directly to the development and growth of a new sub-sector among CSOs and this was what is today referred to as the democracy and governance sub-sector and growing militancy of the religious sector. Some organisations among the civil society sector have and continue to receive government support in terms of financial, material and technical support. Examples of these include CSOs working in the water sector, which receives technical support from government personnel. Needless to say the DG sector has not been so fortunate. Indeed the deterioration of the relationship between the State and civil society can be attributed to the growth of this sector. The DG sector and radicalised religious institutions were in the forefront of society's calls for governance reform. The example of constitutional reform between 1992 and 1997 is presented below as an indication of the DG CSOs growing influence.

The overall figures for the total registered NGOs in the early 1990s are unclear. This is because of the change in law in December 1992 and the following lag phase of at least 3 years when all NGOs operational within the country had not yet received registration. But it can be estimated to have been in excess of 500 local and foreign NGOs. Of this total, a USAID study indicated that by 1997 there were over 50 non-religion based civil society organisations providing civic education in Kenya (see annex 1), a big growth from the handful in the Kenyatta period. The sector quickly diversified addressing several issues. The same USAID study on civic education and the DG sector of 1997, revealed that organisations surveyed fell into five broad categories in terms of areas of focus, although a number covered more than one area in their programming: legal rights/human rights

⁷² Views expressed by participant in CDG Materials Exhibition and Thalman et al. *USAID Kenya Civic Education Study*. May 1997. p 18.

⁷³ Quoted in All Africa Conference of Churches (AACC) and MWENGO (1993), *Civil Society, the State, and African Development in the 1990s - Report of Study (and workshop) on Receding Role of the State in African Development and Emerging Role of NGOs* p 10

awareness and advocacy; women's issues and rights; general democracy and governance issues; environmental and land rights; and development work.⁷⁴

Outside of elections, two-thirds of the civic education organisations within the USAID study stated that they received funding from the following donors;

Swedish International Development Agency/Embassy of Sweden
United States Agency for International Development
Danish International Development Agency/Embassy of Denmark
Ford Foundation and government of Norway.

3.4.4 Demands for Constitutional Reform

Demands for a comprehensive review of the Constitution on the part of civil society became an important feature of the Moi Regime II, (1992 to 1997). It represented attempts and efforts on the part of civil society to seek fundamental changes in the power relations between the citizens and the State in Kenya. This quest created an opportunity for alliances with opposition political parties, which had experienced the folly of participating in an electoral system weighted in favour of the incumbent ruling party. Specifically the pro-KANU features of this electoral system were a product of change to the constitution having been limited to the repeal Section 2(A), which allowed the registration of other political parties among other areas. The procedures that were to be used to conduct these multi-party elections were not explicitly stated, a fact, which KANU used to its advantage.

The quest for constitutional reforms from 1992, was a product of the opposition's use of the courts to challenge aspects of the electoral process that they considered unfair. Further, lawyers had led and sustained the multi-party movement and continued to take a prominent role in making further inroads by defending it "...through a succession of lawsuits contesting virtually all aspects of the election..."⁷⁵

Successful demand for constitutional reform became one of the most significant achievements of civil society in recent Kenyan history which culminated in the establishment of the Constitutional Review Commission of Kenya (CRCK) by the government. Civic education was the strategy of choice for CSOs and was used for mobilising widespread support for mass action. In his book recording and revealing the actors and actions that led to this remarkable situation, Dr. Willy Mutunga provides a detailed record which can be used to dissect and examine the role that civic education played in this endeavour.

The book notes that the process was started in 1994 by a new CSO called the Citizen's Coalition for Constitutional Change (4Cs) on "... a narrow base of three human rights groups. It gradually broadened its civic base and recruited the religious sector, trade unions, youth and women groups..."⁷⁶ By 1997 the organisers were so successful in selling the idea of the need for constitutional change to the general public, that they were able to mobilise large sections of society particularly, but not exclusively in urban centres, for unprecedented mass action. The clarion call "No reforms, No elections" was popularised and became common among the general public as it came to be used to focus attention not just on governance issues but also on other societal concerns. A sample of the calls for change included the following;

⁷⁴ Dart Thalman et al (1997), p 32.

⁷⁵ D. Throup and C. Hornsby, (1998). p. 243.

⁷⁶ Willy Mutunga, (1999). *Constitution Making from the Middle: Civil Society and Transition Politics in Kenya, 1992-1997*. Sareat/Mwengo/Mutunga p 21.

"No reforms, No clean Water"
"No reforms, No health care"
"No reforms, No entertainment"
"No reforms, No national survival"⁷⁷

Civil society's push for constitutional reform forced the government to first undertake piecemeal constitutional reforms in the form of the Inter-party Parliamentary Group (IPPG) reforms in 1997 and 1998. This was followed by the enactment of the Constitution of Kenya Review Act and the start of a constitution review process chaired by Prof. Yash Pal Ghai, which is currently ongoing under the Constitution of Kenya Review Commission. Representatives from civil society organisations are represented in the Commission.

The chairman of the CKRC Prof. Ghai has noted that "...The story is (of the events leading up to the constitution reform process) is about the potential and limits of civil society in promoting fundamental political and constitutional change. It tells of the struggles of the Citizens Coalition for Constitutional Change for a new political dispensation for Kenya. The 4Cs, as the movement became known, was led by a small number of highly dedicated and able intellectuals who made an impact on Kenyan politics during the 1990s. It provided the only credible challenge, enjoying considerable legitimacy, to the regime of President Moi. It mobilised large sections of the community, operating in close collaboration with religious leaders, political parties, trade unions, women's groups, and professional associations. It promoted wide public discussions on constitutional reform and the purposes of public power..."⁷⁸

3.4.5 Civic Education and the Civil Society Sector

From 1992 to 1997, civic education was increasingly used by civil society organisation as a method for delivering programmes and projects. The number of organisations offering it increased exponentially. By the time of the USAID study on civic education in 1997, there were an estimated 50 organisations, which offered civic education. This figure represents a significant rise up from an estimated 5 organisations in the previous first phase of 1970s and 1980s.⁷⁹ In response to the greater democratic space that became available, new organisations emerged that focused on issues and areas on terms other than those dictated by the government, which would have previously led to arrest or detention or worse. These included areas such as human rights, the rights of political prisoners, corruption, and the economy and related governance issues.

Furthermore, civic education became more mission oriented as providers began targeting specific groups and specific issues limiting their scope with the objective of becoming more effective. Aspects of this phase continued in the next era or Moi Regime III (1998 to 2001). This time period is linked closely to the constitutional review process and is discussed in the section that follows.

The period from 1992 to 1997, produced increased political space for civil society but there were occasional setbacks. The inability of the State to contain political-ethnic clashes that accompanied both the 1992 and 1997 elections cast doubts about its commitment to freedom and liberty. It has been suggested by some that the State was itself an interested partner in the generation of the clashes.

⁷⁷ W. Mutunga (1999) p 171.

⁷⁸ Dr. Willy Mutunga (1999). *Constitution-Making From the Middle: Civil Society and Transition Politics in Kenya, 1992 - 1997*. p xi.

⁷⁹ The five organisation using civic education or similar types of education in the 1970s and 1980s were, Public Law Institute, Oxfam UK and its group of Partners, the DEP programme of the Catholic Church and the Legal Aid Clinic of the Catholic Church Periodically.

3.4.6 **Moi Regime III (1998 to 2001): Rejuvenation of the Ruling Party, Civil Society in Disarray**

Civil society continued its expansion, which had started with the onset of the multi-party era. By 2001, the number of organisations registered under the NGO Act as recorded by the NGO Council had reached 2,100. Many more operate without registration because this is still a slow process. Lack of registration has not proved to be a major hindrance for most organisations in the DG sub-sector practising civic education because organisations in this category have been able to use the registration status of other organisations to operate. Of this 2100 the figures for those within the DG sector had expanded greatly. The available figures from different sources range from over 100 to over 210. The number of organisations that explicitly state that they are employing civic education as a methodology has also grown. However, it is difficult at this early stage to come up with a real figure because the situation is still in flux as to how many organisations are conducting civic education. The constitutional review process, which was initiated in 2001, has in a sense muddled the waters. Civic education is seen as a necessary feature of the constitutional review process. The Constitution of Kenya Review commission has embarked on a process of accrediting civil society organisations, which will undertake civic education on its behalf. On January 18th 2002 the CKRC publish a list of hundreds of NGOs which had registered with it to undertake civic education in the *East African Standard*.

In 2001, a group of Western donors established a basket fund, the National Civic Education Programme (NCEP), to support civic education in the country. NCEP has so far supported over 100 organisations across the country to carry out civic education among the populace in preparation for the constitutional review process.

Despite the official government policy recognising the need for civic education as part and parcel of the constitution review process, "unofficial policy" in the form of pronouncements by the President himself and senior government officials has often contradicted official policy. On February 25th 2001, the *Daily Nation* reported of police crack down of civic education activities. The *Daily Nation* report is summarised in the box below.

State Out to Scuttle Reform (*Daily Nation*, February 18th 2001)

Opposition MP's K. Muruingi and Mukhisa Kituyi said police crack down on Mageuzi rallies and civic education seminars are examples of government denying its people freedom of speech and association.⁸⁰

Moi Regime III (1998 to 2001) has been coloured largely by concerns centred on what should be President Moi's last term in office in accordance with the constitution. Succession and the uncertainty that surrounds it, has contributed to an uncertain political climate. John Githongo a columnist with the weekly newspaper *The EastAfrican* eloquently captures the political climate in Kenya during this era. He states, "... It's been a tough year for Kenyans politically and economically.... Unfortunately, next year promises to be even tougher, but it will also herald some of the most fundamental changes in Kenyan society since independence. A number of processes are underway that will define the nature of this change: constitutional reform; the KANU/NDP merger; the end of President Moi's final term as head of state and the resultant realignments within the ruling

⁸⁰ *Daily Nation* February 18th p. 3.

party; the stalled economic reform programme; expected realignments within the opposition; and a population that's nervous about the future..."⁸¹

3.5 The Media as a Barometer for the Political Climate

Depending on the definition of what constitutes civil society, there is disagreement on whether the media is a member of this sector or not. Some argue that the media is a member of the private sector and as such is concerned with the profit motive like other business enterprises and so is therefore not a member of civil society. Other definitions of civil society that include private business, encompass the media as part of this sector. This report will not join the definitional fray. The study's objective is to use the media first, as a barometer for judging or assessing "freedom of expression" within a given political epoch, and second, recognise the role of the media as an important source of alternative ideas and views. Chapter Four of this study addresses past impact of civic education activities in Kenya and contributes examples which bring into question strict definitions that seek to exclude the media from civil society. These examples and others within the report, reveal the close working relationship that has developed between civil society organisations and media houses in Kenya in recent times. This study uses analysis of the media in the various political epochs from 1963 to 2001.

3.5.1 The Media in the Kenyatta Regime: A Nominally Free Media

The Kenyatta government had virtual monopoly of the electronic media through the control of *Voice of Kenya* (VOK) radio and television. It is acknowledged that the print media at this time was largely 'free from overt censorship'.⁸² Two privately owned influential newspapers namely *The Daily Nation* owned by the Aga-Khan, and the *Standard* owned by Lonrho, and several periodicals existed. The *Weekly Review*, owned and edited by Hillary Ngweno had a reputation for incisive and critical political reporting. A woman's magazine called *Viva*, which was started by Salim Lone in 1973, championed the rights of women.

The section on political aspects of the Kenyatta era focusing on crises and the response of government to them can create a misleading impression of a harsh dictatorship. Discussions with people and review of sections of the media about the political climate at this time, reveal a totally contradictory picture supported by publications of this time such as the magazine *Kenya Today*. They reveal that this era was an exciting time infused by a sense of hope and enthusiasm that was a product of a newly independent state. For the most part, the government was not an oppressive presence in day to day life of ordinary people. Kenya was an economic success story and was viewed as politically stable while the populace was busy reaping the economic "fruits of independence".

3.5.2 The Media under the Moi Regime 1: Growing State Control and Media Self-censorship

The media during the early Moi Regime I (1978 to 1991) continued to be nominally free as it was during the Kenyatta regime. After the attempted military coup of 1982, the fortunes of the media changed drastically. Increased authoritarianism of the regime meant that the media had to engage in self-censorship, more and more. The government moved to contain or ban those sections of the media that did not comply. The measures used against the non-complying media included banning, shutting down publications, use of legal regimes, and pressurising advertisers to withdraw support.

⁸¹ *The East African* December 24-30, 2001. p. 11.

⁸² Dr. Edward Kannyo (1981), p iii.

The Viva magazine edited by Salim Lone was closed down in 1982. Salim Lone himself had his citizenship withdrawn. In 1988, *Beyond* magazine, published by the NCCK, was banned after publishing evidence of irregularities and outright election fraud during the queue voting general elections. Before 1985 Hilary Ngweni published the "Weekly Review" as a radical government critic. His defiance in the face of government threats was soon worn down when advertisers started to withdraw from his publication.

3.5.3 *The Media in the Moi Regime II: Print Media becomes Freer and Proliferates*

Moi Regime II (1991 to 1997), witnessed a proliferation of the print media as civil society responded to the new opportunities ushered in with the return of multi-party and the greater democratic space that it created. New newspapers and magazines were established, running the gamut from simple entertainment to hard-line anti-establishment newspapers such as *The People* and others. A new entrant in the newspaper market represents what is now called the politically motivated "Gutter Press". This consists of newspapers printed on A4 paper that devote their coverage on unearthing alleged political manoeuvres, corruption and personal foibles of individuals in public life. These exposés are short on facts and long on rumours. The different publications are associated with different political camps within Kenyan society.

This proliferation of the media came with a new openness and investigative journalism flourished. Revelations of government related improprieties and corruption became a regular feature of media coverage. The government has responded to public revelations of its improprieties by mostly ignoring the reports. No government official has resigned and very few have been disciplined because of press revelations of their role in corruption or misuse of office. This lack of government response has meant that the revelations have had less impact than they should have.

During this time (1991 to 1997), the government continued to control the broadcast media much more successfully. The disparity between the openness of the print and broadcast media can probably be explained as the realisation by the State that the print media has a limited reach because of high illiteracy and low functional literacy rates among the majority of Kenyans. The print media moreover tends to reach the urban already radicalised segments of the Kenyan population. The State has in essence already "lost" this segment evidenced by the fact that most urban areas voted opposition in 1992 and again in 1997.⁸³

There were new TV channels started and the advent of the FM radio station also began. However, the government shifted to new tactics in its quest to control the media in general and the airwaves in particular. Instead of hard-line control measures that had been used by the media previously, a softer approach was employed. First, the "establishment" or "establishment figures" bought significant controlling shares in much of the media in a campaign, which seemed to suggest that "if you cannot ban them, then own them". Among the media houses that establishment figures came to have a controlling share include; *Kenya Times*, *The East African Standard*, *Exposure* (an A4 publication), while the *Weekly Review* (before its demise in 1995) was owned by a pro-establishment figure. Government controlled radio and TV stations included, Kenya Broadcasting Cooperation (KBC) TV, KBC 2 TV, and Kenya Television Network, (KTN).

Second, the FM stations that were licensed at this time were allowed to focus only on entertainment. These included, Capitol FM and Metro FM (KBC owned). The British Broadcasting Cooperation

⁸³ Institute for Education in Democracy (IED) (July 1997). National Elections Data Book. Kenya 1963 - 1997. P. 220. And Institute for Education in Democracy, Catholic Justice and Peace Commission and National Council of Churches of Kenya. Report on the 1997 General Elections in Kenya 29 - 30 December, 1997. P. 135 to 152.

(BBC) which was allowed to start operations in 1997, was the only exception to this. However its coverage is world wide and not just Kenya specific.

The IPPG minimal constitutional reforms of 1997 represented the most important challenge to State monopoly on information in recent times. The IPPG legislated measures aimed at compelling the State to relinquish its monopoly of the all-important KBC, which reaches over 65% of the total population in Kenya. In a subsequent survey of KBC's treatment of government and opposition in 1997, The Kenya Human Rights Commission together with the international media watchdog group Article 19, found that KBC continued to give KANU the lion's share of coverage. KANU received 90% of the coverage and the joint opposition received 4%. Furthermore, the reporting tended to popularise KANU and demonised the opposition presenting the latter as being inherently disruptive by nature and having no capacity to govern.

3.5.4 The Media under Moi Regime III: Growth of the Electronic Media

The independent media has continued to build on the gains made from 1992 to 1997. In this era the most significant growth registered has been in the broadcast media. The private sector has encroached on the broadcast media and established independent radio and TV stations. These include the Nation group, *Kiss FM*, *Family FM*, *Capital FM* and *Citizen (TV)*. A new emerging trend is the establishment of local language station such as *Kameme FM* (Nairobi and its environs), *Baraka FM* (based in Mombasa), *Metro East FM*, and *Coro FM*.

While government has expanded media freedoms with one hand, it has occasionally taken them away or limited these freedoms with the other. Government is still trying to maintain control of the electronic media by limiting the broadcast range of most FM radio stations to Nairobi and its environs. Technology is threatening this attempt at control, however, because through Worldspace digital satellite technology, it is possible to receive any of the FM broadcasts anywhere in the world. Cost is the primary and important limiting factor for accessing this technology for most Africans. In 2001, government action forced the private Citizen Radio and Television station off-air in circumstances that suggest heavy handedness. The station has challenged the government's actions in court.

Greater freedom of the media has had consequences for media houses themselves in terms of the range of topics and issues that can be presented and the manner in which these are presented. Some of the media houses have launched shows that encourage the public to interact actively through calling-in, fax or via the Internet. Some of these shows have been political in nature and have allowed the public to raise controversial issues uncensored. Examples of these shows include, *The Nation FM's Daily Dilemma* which had President Moi call in to respond to issues raised by the public, *Kiss FM's Crossfire* which brings together KANU and opposition politicians and supporters in a half hour discussion of current political issues, *Wembe wa Citizen* a call in show aired by *Citizen TV*.

The impact of greater media freedom means that civil society organisations have channels through which they can reach the public and so deliver civic education to more people more cheaply. FIDA, and the Coalition on Violence Against Women (COVAW) have collaborated with the media in projects aimed at raising public awareness on different forms of gender violence and launching joint campaigns against gender violence.

3.6 The Economic Climate and its Impact on Civil Society Organisations and Civic Education

3.6.1 Overview of the Kenyan Economy

The economy during the Kenyatta regime was rarely a matter of concern. Growth rates that averaged 6% meant that there was stability even during times of political uncertainty as in the last years of the regime from 1975 to 1978, when the political elite struggled among themselves over the succession. The quintupling of oil prices in 1973-4 and its effects were offset by economic windfalls that came from high commodity prices for the country's main cash crops, coffee, tea and pyrethrum. In addition a boom in the tourist industry meant that the last years of the regime were even prosperous for most Kenyans despite the imminent political Succession.⁸⁴

Decline in the economy has been a feature of the Moi regime. Similar succession struggles in what should be the last years of the regime have taken place against the backdrop of poor economic performance, which has been exacerbated by undue focus on politics at the expense of the economy. It is often stated that the economy is in free-fall while the political will to halt the fall and turn it around is occupied in succession politics. Despite the unprecedented efforts by CSO's advocacy efforts on behalf of the economy, there has been little sustained attention from the political establishment. In urging concerted action, the Institute of Economic Affairs (IEA) in its Kenya Scenarios Project published in 2000, noted the following, "... Failure to undertake fundamental reforms economic and political, and institutional re-organisation will not yield the desired results. Attempts to reform selectively are akin to building a house with one strong foundation on one side and a weak one on the other. With time the strains will appear and the house will collapse. It is imperative that there is sufficient attention paid to re-organising the economy for growth, and the institutions of governance for greater accountability and participation..."⁸⁵

The focus on agriculture that this section takes has been deliberately done to provide a more in-depth analysis for the economic sector with a view to determining how economic decline affects people and a sector and how it may then influence civic education programmes. Such a specific sector analysis offers opportunities for tailoring civic education to fit in with the specificities of the sector and the needs of the people in that sector. Such an approach is more valuable than a generalised discussion of economic decline and its impact on civic education programmes. Some of these findings are derived from similar links made between economic factors and civic education in the baseline survey of 2001.

3.6.2 The Nature of the Kenyan Economy

Kenya is primarily an agricultural country. Agriculture remains the foundation of the economy contributing a shrinking, but still important 25% of Kenya's gross domestic product (GDP). There are other economic sectors, which make for a relatively diversified economic base as far as sub-Saharan African countries go. These include industrial capability and exports. A well-developed tourism sector had in the past made Kenya the leading destination in Africa for tourists from the West. At its most successful the number of tourists that Kenya received annually exceeded 750,000 in the mid 1980s. Indeed until its recent decline, Kenya was perceived as an economic success story. In terms of the economy's impact on the people, a predominance of small holder production systems for the main cash crops (coffee, tea, and cane) and in the dairy industry, meant that the

⁸⁴ D. Throup and C. Hornsby (1998). Pg. 22.

⁸⁵ Institute of Economic Affairs (2001). *Kenya at the Crossroads: Scenarios for our Future*. Pg. iii.

benefits accruing from the vibrant economy were widespread particularly among the peasantry, which were the main beneficiary.

3.6.3 Features of the Decline of the Economy

From the early 1990s, the economy began to experience a down turn, which has only accelerated in recent times. This economic decline has been characterised by various features. Over this time, growth has averaged 2.6% barely keeping pace with the population growth of 2.9%. As a result, income per capita has fallen by more than two-thirds in less than two decades from US\$ 420 in 1980 to US\$ 260 in 1998. This has meant that poverty has deepened. The number of people living below the poverty line has risen by 6% in less than 8 years climbing from 44% in 1989 to more than 50% in 1998.

a. Unemployment

Economic decline has shrunk the job creation abilities of the economy. Although 500,000 people join the labour market annually, only 40, 000 can be absorbed by the formal sector. Of the remainder, 200,000 go to swell the informal sector while the rest languish in unemployment. Eight months of power and water rationing in 1999 only served to accelerate the decline. It is estimated that during the rationing, over 200,000 jobs were lost permanently as companies closed or relocated.

b. Domestic Debt

According to a Centre for Governance and Development (CGD) Policy Brief of September 1998, the declining economy, has only fuelled the government's appetite for expensive domestic debt. Consequently, the stock debt, responding to the government's heavy borrowing over the last few years is now at an unsustainable level. The result is that interest rates have shot up and with them the cost of borrowing.⁸⁶ Under these conditions, investments, which would have contributed to resuscitating the economy has not been possible.

Together with the situation described above, the current account deficit has grown from 1.2% of the Gross Domestic Product (GDP) in December 1996 to 4.4% as at February 1998. A large part of this is being financed with short-term speculative capital inflows. This approach is extremely volatile and constitutes a risky way of financing government budgets.

3.6.4 Corruption and its Impact on the Economy

In a survey of corruption in Kenya between 1991 and 1997, CGD notes that "...corruption is the emblem of bad governance in Kenya is not an overstatement. Over the last decade, fighting corruption has emerged as the key contention between government on the one side and the public and virtually all international donors and multi-laterals on the other..." Indeed corruption was and remains one of the factors that contributed to the stopping of aid in 1991.

The roots of corruption in Kenya lie in the neo-patrimonial system created during the Kenyatta regime as a means of rewarding and co-opting elites from all ethnic groups with the aim of incorporating them into the system of government and controlling all facets of the political and economic activity.⁸⁷ Although corruption was widespread during this era, economic prosperity and economic benefits of the land consolidation, created a supply of patronage in the form of appointments, land and financial rewards in which supply and demand were matched. The nature

⁸⁶ CGD. (September 1998) Policy Brief. *Hard Times, Now*. Pg. 1

⁸⁷ D. Throup and C. Hornsby (1998). Pg. 22.

of corruption was also such that it was not as rapacious as in later years. The government was still able to deliver in key areas while the project completion rate was high. The impact of corruption on the economy was contained.

During the Moi era, there was a growing imbalance between the supply and demand of patronage resources. Throup and Hornsby note that "...Kenyatta's successor would have to operate in a much more difficult political and economic world where patronage resources would be stretched..."

Indeed throughout the Moi era, state patronage has been in short supply. Political patrons have found it increasingly difficult to satisfy the demands of their clients as resources diminished. The rise in population which continued to grow at a rate of more than 4% per annum did not help matters. As a consequence it is argued here that corruption has increasingly become a source of patronage resources for the regime. The increasingly bizarre, desperate and destructive corruption schemes which have had such debilitating effects on the country can be partly explained by the concept of "patronage imbalance".

CGD found that the Kenya government lost more than Kshs. 475 billion between 1991 and 1997 through corruption. Most of the corruption has occurred through laxity and fraud in revenue collection than from bad spending. CGD found that loss from non-collection of revenue accounts for about 50% of the loss. However, alongside these sources, a trend towards special corruption in which schemes and machinations have resulted in the massive looting of the public coffers. The Goldenberg case that dates back to the end of the late 1980's is a case in point. The recent government plan to excise 10% of Kenya's total forest cover for dubious reasons can be understood if it is taken in the context of the need for creating patronage resources.

3.6.5 The Baseline Survey: Findings Linking Economic Decline and Civic Education

A Baseline survey conducted in the year 2001 reveals an additional dimension of the impact of the economic decline and how it impacts on civic education programmes. "Chapter 2: Living Conditions in Kenya" paints a bleak picture of the living conditions that the majority of Kenyans live under and economic obstacles that they face. On the basis of the data collected on the living conditions several observations and conclusions are made which are quoted below.

- A vast majority of Kenyans live below the global poverty level of US\$1 a day.
- Generally there is a low level of ownership of material goods except for Nairobi.
- Ownership of dwellings was high and so was the ownership of livestock and land.
- Basic services were far more widespread in Nairobi and to a lesser extent in the other provinces with urban centres. In more rural provinces, access to services is limited and the situation is worst in North Eastern Province.
- Living conditions are seen as central to any civic education process and such campaigns need to reflect issues that affect people's everyday lives.
- There is a link between access to basic services and the civic education process.
- Extending basic services to Kenyans would have a major spin-off for their well being.⁸⁸

The last three points above relate directly to civic education and tally with the views and findings of CSOs themselves who report that among economically depressed communities, efforts to deliver rights-based civic education programmes are often hampered because people have basic survival needs and issues such as water, or income generation opportunities and food.

⁸⁸ Strategy and Tactics (2001), *Kenya: The State of the Nation*, p 6.

To understand the nature of the economic decline, the agricultural sector will be taken as an example for further analysis. The purpose here is to use the agricultural sector for a more in-depth analysis. This approach will offer us an opportunity to begin to go beyond generalities in this section on the impact of economic issues on civic education.

3.7 *Decline in the Kenyan Economy: The Case of the Agricultural Sector.*

3.7.1 *Some Basic Facts on Agriculture in Kenya*

Kenya is predominantly an agricultural country. The majority of Kenyans (80%) live in the rural areas and depend on agriculture for their economic sustenance. The contribution of agriculture to GDP is identified in table 2.5 below. The table indicates that agriculture has contributed up to 37% to GDP in the decade after independence, (1963 -1975). Statistics in the National Development Plan 1997 -2001 reveal that the sector still accounts for at least 25% of Kenya's gross Domestic Product (GDP). The Agricultural Sector Review 1995, found that the sector generates over 60% of foreign exchange earnings, and provides employment for over 70% of the population, provides raw materials for agro-industries that account for 70% of all industries. Agriculture is the backbone of the economy and provides the basis for the development of the other sectors.

The wave of liberalisation and the introduction of reforms in Kenya since the early 1990s has translated into a series of crises in the agricultural sector that has contributed in no small way to the decline in agriculture's contribution to the GDP. The crises have manifested themselves mainly in marketing wars and related institutional politics especially in the coffee, tea, wheat and sugar sub-sectors. Liberalisation and subsequent reforms have created opportunities for civil society organisations to engage with farmers reaching them in a variety of ways, some of which are discussed in the section on the impact of past civic education. This section will include a discussion of the effects of liberalisation on the tea sector in order to provide a case study of the effects of the economic climate on a sector and CSO response.

3.7.2 *Gender and Agriculture*

Women are responsible for 80% of agricultural production in the small-scale farming sector and as in much of sub-Saharan Africa, constitute the primary farmers. Patterns of rural/urban migration that have become entrenched since the colonial era have seen many more men than women leave the rural areas to migrate to cities. As a consequence the incidence of female-headed-households can reach 30% among many agricultural communities. The result of this trend is that women bear more and more of the farm based labour and often include traditional male duties in their repertoire of responsibilities. Inevitably they are heavily burdened.

3.7.3 *The Picture of Agriculture Today*

Agriculture in Kenya today is dominated by six main commodities namely beef cattle, dairy products, maize, tea, coffee and domestic horticulture. These account for 68% of the agricultural products and 17% of Kenya's total economy. Agriculture related activities such as transport, trading and processing, constitute another 20 - 30% of economic activity. This implies that agriculture and its related support activities, is responsible for up to 50% of economic activity in the country. Table 2.5 below provides a breakdown in GDP terms.

Table 3.5: Agriculture in the Kenyan Economy⁸⁹

Period	Annual change in real GDP (%)	Annual change in real agricultural GDP (%)	Share of agriculture in GDP (%)
1963-75	4.5	4.7	37
1976-80	5.5	2.9	36
1981-85	3.2	2.2	31
1986-90	5.0	2.7	31
1991-95	2.2	0.3	28
1991	2.1	-0.7	30
1992	0.5	-3.3	28
1993	0.5	-3.3	27
1994	3.0	3.1	27
1995	4.8	4.9	27
1996	4.8	4.4	25

Source: GoK, Statistical Abstractions and Economic Surveys. Various years.

In a review of the agricultural sector, in the Institute of Economic Affairs and the Society for International Development's Scenarios project of 1998, the close link of agriculture to national GDP was noted. "Changes in national GDP figures directly reflect changes in agricultural GDP."⁹⁰ The study noted that the various commodities in the agricultural sector vary in terms of their performance over time. Some such as coffee have experienced a decline, while others such as tea and horticultural crops have seen growth.

3.7.4 Policy Liberalisation and the Agricultural Sector

The 1980s experienced a profound ideological shift away from state controlled agricultural markets to market economies. Aid dependent countries such as Kenya were encouraged to make the policy shift with the application of aid related conditionalities that favoured the reduced role of the State, free markets and individual liberties. However, the absence of political will to implement these changes, led to the suspension of aid in 1991. The result was an all time record low agricultural growth rate of minus 4.1%.⁹¹

A year later in 1992, political reforms had the impact of slackening the state based constraints to market forces in Kenya. The effects were felt in the agricultural sector, which was to experience growth rates as high as 4.8%. The IEA analysed the gains to the agricultural sector as a consequence of political and economic liberalisation thus; "...Although still piecemeal and seemingly half-hearted, reforms in parts of the sector have seen the entry of more producers and diversification away from traditional farming methods towards more commercial-based farming techniques. Such reforms have also witnessed the transition from more traditional produce towards higher revenue-generating commodities. Full liberalisation has spurred growth, especially in sub-sectors such as horticulture, which has grown much faster than the rest of the economy".⁹²

⁸⁹ Institute of Economic Affairs and Society for International Development, (2001). *Kenya at the Crossroads: Scenarios for Our Future*. p 30.

⁹⁰ Institute of Economic Affairs and Society for International Development. 2001. p 32.

⁹¹ Institute of Economic Affairs (1997) Issue 17. "The Point".

⁹² IEA (1997). Pg. 3

3.7.5 *Agriculture and Rural Incomes*

A key distinguishing feature of agriculture in Kenya is the fact that small-scale farms continue to contribute 80% of agricultural GDP. The difference from a decade ago is that many small-scale farms do not provide the farmers with sufficient means to sustain themselves and their households. To supplement their incomes, many farming households rely on off-farm activities. In a study of sources of household incomes undertaken by Tegemeo Institute in 1998, it was found that " Fifty percent of Kenya's rural households, are involved in off-farm income-earning activities, and 36% have at least one salary earner living away from the farm.... Off-farm income opportunities also are more fruitful than agriculture in improving the lot of individual families. "⁹³

The negative income trends identified above are a by-product of policy changes in the agricultural sector since liberalisation was introduced during from the early 1990s. Reforms in the economic and agriculture sector gave rise to de-control of prices, movement of produce liberalisation; marketing, processing and even export control. Despite these positive trends, policy paradoxes and state confusion are still common suggesting a reluctance to go the whole liberalisation route. In the different agricultural sub-sectors the consequences for this policy confusion has fallen on the those who can least afford it namely, the small-scale producers who are responsible for those gains and windfalls. The recent crises in some sectors in agriculture can be largely attributed to unresolved policy issues coupled with an era defined by demands for justice, democracy and good governance.

3.7.6 *Impact of the Economic Decline on Politics, Civil Society, and Civic Education*

The decline in economic performance globally, and in Kenya as well, in the early 1990s motivated a more serious inward look at local factors that contribute to poor economic performance. Linkages between good governance, accountability, and transparency to economic development were developed by the civil society sector. Hither-to, the tendency to blame all of Africa's ills on the colonial era and the inequity created by neo-colonialism, had led internal critics to remain blind to the role that their own governments and their governance structures played in contributing to the economic inequality.

The economic decline of recent years and government efforts at liberalisation triggered the growth of civil society organisations that, proactively, began to explore and offer alternative economic policy frameworks, and in other cases, critique government policies. Examples of such organisations are the Institute of Economic Affairs and the Centre for Governance and Development.

The downturn in the economy generally, and the agriculture sector in particular, has provided an organising and rallying point for political activity. In Central Kenya for example, antipathy towards the government and the ruling party can be attributed in part to the perception that these structures are to blame for the declining performance of the tea and coffee sectors, for many years the economic bedrock of this region. This antipathy provides the opposition with a ready base of political support.

The middle class has shrunk as the economy has slowed down. With their purchasing power reduced, it is said that the middle class is moving to lower income neighbourhoods. As the middle class comes to the realisation that the economic downturn is here to stay, more of them may be prepared to enter the political fray, seeing as it is that there is nothing more to loose. Effective harmonisation of middle class political energies is likely to quicken the pace of political reforms.

⁹³ Quoted in Institute of Economic Affairs (2000). *Kenya at the Crossroads: Scenarios for the Future*. Pg. 50.

The underlying factors that have contributed to the decline of any sector offers opportunities for providing a civic education programme which focuses on this sector and its specific problems. This in turn can create a civic education programme, which is relevant for the target group. The baseline survey found among the respondents that there was "...high level of consciousness of socio-economic issues and the success of civic education programs (which) hinges on how well these programs articulate issues that Kenyans regard as basic to their lives. Hence, the starting point for civic education should be explaining the link between socio-economic conditions and the constitutional order and change."⁹⁴

In the case of agriculture, various issues offer opportunities for creating the basis of a civic education programme. These can include structural factors such the land tenure systems; inappropriate agricultural policies and gender divisions of labour, the need for gender-based analysis and gender desegregated data systems. Non- structural issues can include pricing policy, support services for agricultural production and so on.

Several civic education providers reported that one of the consequences of the poor economy is that they were finding that some of the people among their proposed target groups were simply too hungry to attend a civic education activity, or that they may attend because of the possibility of receiving a meal or a small monetary payment. When meals or the monetary payment are discontinued, attendance may then fall drastically. The USAID civic education study conducted in 1997 confirmed this. The study reported that there was a category of 'professional' civic education trainees. These were people who received repeated training from a variety of providers because of the benefits that accrued from the training programmes such as per diems and meals. They had 'captured' the civic education providers particularly those who used the same source to recruit potential trainees, and offered themselves for training repeatedly.⁹⁵

⁹⁴ Strategy and Tactics (2001), *Kenya: The State of the Nation*, p 6.

⁹⁵ Dart Thalman et al (1997), *Civic Education Study for Kenya*, p 17.

Second, the same study also stated that there was no consensus as to what constituted civic education between even the donor and recipient civil society organisations. Some had a narrow definition that confined civic education to voter education or legal rights education while others had a much wider definition that implied transformation and action at both the individual and group level. Within this wider context civic education and its related impact can include individual responses such as those women who stand for local or national elections as a consequence of civic education. It can extend right to those groups of farmers who organise to demand better prices for their produce, to women's organisations that initiate advocacy campaigns for policy and legal changes. This report takes the wide view of civic education and includes impact at the personal, community and national levels.

Third, the difficulty in isolating the civic education as the source of awareness or new knowledge in the face of so many other possible sources is often cited to question the impact of civic education programs by detractors. Awareness within a target group can be a result of information from the media, friends and relatives or an individuals own efforts.

Fourth, the organisations that conduct civic education have contributed to this situation because not many of them have developed or adopted objective approaches or methodologies to measure the impact of their training activities. Most do not have even a simple questionnaire that can be administered before a training course to ascertain the knowledge levels before and after the training topics covered. More complex impact assessment approaches and methodologies are rarely applied. Internal monitoring and evaluation methodologies with tools such as indicators are rare among CSOs. This feature is cited in the deliberations of civic education providers, which was organised by the Institute for Education in Democracy in June 1994.⁹⁸ Discussions with representatives from CSOs that provide civic education during the NCEP Methodology and Monitoring and Evaluation Workshop held between 30th October to 4th November 2001 revealed that there has been little change.

4.3 The Impact of Civic Education and CSO Providers Kenyatta Regime (1963 to 1978)

At the time of the Kenyatta era, politics related civic education activities and providers were yet to emerge (noted in section 2.2.2 of this report). However, the search for alternative development visions which subsequently led to the development of participatory methodologies such as civic education, had already begun in earnest in the 1970s. For the Churches, this led to Development Education Programme (DEP) and the Development Education for Leadership and Team Action (DELTA). The DEP/DELTA was implemented by the Catholic Church from 1973 to 1982 when it was prohibited after the attempted coup d'etat of 1982. DEP/DELTA will be discussed below because of its importance and the lessons that present day civic education initiatives can derive from it.

4.3.1 Impact of the DEP and the DELTA Programme

During this period, the Catholic Church implemented the Development Education Programme/DELTA programmes, which were closely akin to today's civic education. This programme is reviewed in detail in section 1.1.3 of this report. DEP/DELTA utilised adult literacy as a basis for transformation or conscientization.

⁹⁸ Institute for Education in Democracy. *Towards a Common Curriculum for Civic Education*. Workshop Report. Lenana Mount Hotel. June 1994. p 11.

Since the programme started in 1974, several evaluations and reviews both internal and external have been conducted. Some of these have been done for the whole DEP/DELTA programme in Kenya, others have focused on DEP in several countries, while others still have focused on individual programmes. It will suffice here to identify key features of the impact of the DEP/DELTA programmes.

DEP/DELTA utilised adult literacy as a basis for transformation or conscientization. The evaluations revealed that when measured as a literacy programme, the DEP classes had quite a good record, out performing conventional ones such as those run by the government in the 1980s. An evaluation found that an average of 75% of those who attend the literacy classes passed the proficiency tests.⁹⁹

Overall the DEP's achievements and impact were located especially at the community level. The overall impact of the programme is presented below in point form.¹⁰⁰

It helped promote and mainstream development methodologies and principles that were participatory and put communities at the centre of development in new bottom up approach to development. Throughout the country, the programme helped produce a cadre of development professionals who had the practical and theoretical skills to work in the new development approach. Several civil society organisations have been formed by former TFT staff. These include Women's Resource Centre, COBADES, Neighbours Initiative Alliance and Premese Africa.

Delta training which included the modular training for transformation package developed by Hope and Timmel contributed to a new set of tools and techniques which contributed to the knowledge of how to work with communities in a participatory manner. The founder trainers went a long way to promote the accessibility of these tools and their use by development workers throughout much of the development world. DEP strengthened the participation of marginalised people in civic and development processes by giving them the opportunity and confidence to define their needs and wellbeing, articulate their rights and implement activities in pursuance of wellbeing as the defined it;

DEP work promoted the growth and development of civil society organisations and community institutions that promote greater opportunities for participation of the poor and marginalised in the formulation and implementation of development programmes. An example of the practical impact of DEP is presented below in the example of the Rombo Group Ranch.¹⁰¹

4.3.2 The Establishment of Kituo Cha Sheria

The University of Nairobi faculty of Law started the Legal Aid Clinic in 1973 with the aim of providing free legal assistance to those who could not afford to pay for it. It served the dual purpose of providing the students with the opportunity to interact with real life legal cases. Kituo cha Sheria one of the leading and oldest legal NGOs is the product of this University Legal Aid Clinic. Other than lay the foundation of Kituo, the University scheme helped introduce a different approach in the form of legal aid to the legal fraternity in Kenya.

⁹⁹ J. B. M. Kronenburg. (1986). P 116

¹⁰⁰ Nzungi N. Mukungi, (2001). *Prospects on the Development Education Programme (DEP) in Kenya*. P. 7/8

¹⁰¹ The DEP/DELTA programme and its impact is discussed in detail in J. B. M. Kronenburg (1986). P 116 -117, Jerry Crowley (1988) p 30-36, and Harley Johnson, C. A. C. International (1998). P 10-16

4.4 Impact in Moi Regime I (1978 to 1991)

4.4.1 The Civil Society Sector Introduces the Concepts of Governance and Democracy in Development

At the beginning of the Moi era, the DEP/DELTA programme initiated by the Catholic Church, which has been discussed above, was the most important civil society initiative. This era is characterised by the development of the indigenous civil society sector and its growing differentiation. This differentiation saw the development of the first civil society organisations dealing with governance and democracy as an explicit mandate. By the mid 1980s, civil society started to include and experiment with what are today known as democracy and governance issues. The formation of the Public Law Institute by the Law Society of Kenya and the National Council of Churches in Kenya (NCCCK) in 1981 (PLI started operations in 1983) represents this shift. The Law Society of Kenya was itself increasingly becoming vocal on governance issues.

Religious groups were the civil society actors that could speak up and be noticed by the authorities. As KANU continued to become increasingly repressive during this period, politicians were silenced one by one. Throup and Hornsby allude to the impact that religious based civil society organisations had during this era, when they state that,

“...[D]issent was transferred into those national institutions, which still retained an independent voice. With the trade unions muzzled and students harassed and repressed, only the main churches and the professional bodies, such as the LSK dared to speak. The various churches commanded tremendous respect at all levels of Kenyan society...henceforth liberation theology began to play a larger role, and Church leaders recognised that the NCCCK could sustain an anti government movement...”¹⁰²

During an era when oppression was over-arching, and few critics dared to raise their voices, the Church and some professional bodies used their position to keep the flame of democracy alive. Other organisations were then able to build on this legacy in the run up to the multi-party era.

4.4.2 New indigenous Civil Society Organisations that Focus on Democracy and Governance Issues

The National Council of Churches of Kenya (NCCCK) and the Law Society of Kenya (LSK) came together and formed one of the first independence era democracy and governance indigenous NGOs, the Public Law Institute (PLI) in 1981. The Institute was the first public interest legal institution in Kenya and was formed to promote the rights of the marginalised and the underprivileged in Kenya society. The PLI worked closely with the Development Education Programme (DEP) supporting DEP initiatives by providing legal education or legal aid to some of DEP's target communities. The Rombo Group Ranch was a beneficiary of such collaboration.

First, being the first independence era NGO addressing legal rights issues allowed it to serve as a point of focus for like-minded-people. A great deal of the work it did was very often pioneering. The value lay not necessarily in the impact of its initiatives but rather in the fact that it offered society a peek at an alternative perspective in a society that had become conservative by force of habit. Thus the Women Rights Awareness Programme of 1987/88 which launched a poster campaign against

¹⁰² D. Throup and C. Hornsby. 1998. Pg. 55.

violence against women generated considerable excitement and interest because such issues had rarely been raised so boldly in society.

In 1987 PLI became the first civil sector Organisation to take the Kenya Power and Lighting Company to court because it had raised tariffs without following procedures in the Electric Power Act of the time which required that before tariffs are raised, the public be informed through a 14 day notice period.

The enduring legacy of the PLI, however, has been its role as midwife in helping nurture and deliver individuals and new CSOs in the governance and legal rights sector among others. The legal fraternity has been a disproportionate beneficiary. Prior to the PLI, few lawyers felt that they could pursue careers outside of the private sector or the government. The PLI experience helped many overcome these psychological barriers and today lawyers play a significant role in managing rights based CSOs in Kenya. Organisations that have been set up by former PLI associates include the Kenya Human Rights Commission (KHRC), Kituo Cha Sheria, the Women Rights Awareness Programme (WRAP), the Legal Aid Programme (LEAP) and the African Centre for Technology Studies (ACTS).

4.5 Impact of Civic Education in the Moi Regime II (1991 to 1997)

4.5.1 Phenomenal Growth of the Civil Society Sector and Civic Education Providers

The growth of civic education providers can itself be seen as an impact of civic education conducted previously and from ideas related to governance and democracy becoming widespread throughout society. Evidence for this growth manifests itself in recent years in several ways. First, a comparative analysis of attendance at civic education meetings in 1994 and 2001 is telling. In 1994 when, the Institute for Education in Democracy (IED) held a meeting to discuss a common curriculum for civic education, it attracted 18 organisations and 37 individuals. A meeting by the National Consultative Education Facilitative Committee (NACEFCO) held in January 1999 for civic education providers on the other hand attracted 188 individuals from 150 organisations. In 1997, the USAID study documented 50 civic education providers while in 2001, the National Civic Education Programme (NCEP) is funding more than 100 organisations. The total number of registered civil society organisations is given by the NGO Board as 2,100.

This growth can be contrasted by information available on the CSO sector from before 1988 which has been gleaned from documented sources and from interviews with key CSO actors of that era. The Kenya National Council of Social Service (KNCSS) which was charged by government with registering NGOs and donors operating within Kenya before the formation of the NGO Board, had registered a total of 114 local NGOs out of a total of 482 NGOs that operated in Kenya at that by 1988.¹⁰³ Mazingira Institute in its directory of women's organisations in Kenya registered 57 women organisations with a focus, which included development organisations, professional bodies, co-operatives and religious organisations.¹⁰⁴ Of the total number of local NGOs documented, only two explicitly stated that one of their objectives was the provision of anything remotely related to civic education. The two were Public Law Institute and Women's Progress Limited both registered in 1981 and both providing legal education. Chapter 5.0 addresses the issue of growth in greater detail. Among the donors only one The Ford Foundation explicitly stated that it supported legal education.

¹⁰³ Kenya National Council of Social Services (KNCSS) (1988). A directory of (Non-Government) Voluntary Organisations in Kenya. Nairobi.

¹⁰⁴ Mazingira Institute (1985). A Guide to Women's Organisations and Agencies Serving Women in Kenya. Nairobi.

Second, the emergence of networks of civic education providers is evidence of further growth within the DG sector. The Human Rights Network started in 1992 and brought together civil society actors involved in human rights work. In 1996, Daraja emerged. Its membership was broader than that of the Human Rights Network; it reached out to all civic education providers. Since 1998, networks of organisations working on civic education around constitutional reform issues have increased. Four national networks, also called consortia were formed by CSO civic education providers from 1999. The four are listed below and the membership of each CSO is contained in Annex 5 in this report.

The Constitutional Reform Education Consortium (CRE-CO)

CRE-CO is a national multi-sectoral consortium of 27 civic education organisations whose objective is to undertake Constitutional Review Education (CRE) nationally. CRE-CO was formed in May 1998 after a meeting of the Civic Education Working Groups (CEWG) convened by the Legal and Human Rights NGOs Network and the Civil Society Committee on the Process of Constitutional Review (CSCPCR). The CRE-CO secretariat is managed by a programme Co-ordinator who works directly with a management committee.

The Kenya Women's Political Caucus (KWPC)

The KWPC was formed as a result of the Asiyo Affirmative Action Motion tabled in Parliament in April 1997. This is a broad-based national network of 43 women's organisations and 23 individuals (including 6 members of parliament) with a commitment to the promotion of a gender responsive system of government. A programme committee constituted under the auspices of the Caucus Focal Point will administer the proposed CRE activities.

Constitutional Education for Marginalised categories (CEDMAC)

CEDMAC is an organisation representing 17 organisations working with the marginalised communities of Kenya both rural and urban. CEDMAC was formed on February 1999.

The Ecumenical Constitutional Education Programme (ECEP)

ECEP was formed jointly by the National Council of Churches of Kenya (NCCCK) and the Catholic Justice and Peace Commission (CJCP).

A review of the sector reveals a growing range of issues that civic education providers are involved in, which is further evidence of the growth and maturing of civic education providers.

Table 4.1 Range of Issues in Civic Education Work

List of Range of Issues/Sectors Addressed by Civic Education Providers	
<input type="checkbox"/> Human Rights	<input type="checkbox"/> Legal Education
<input type="checkbox"/> Women's Rights	<input type="checkbox"/> Prisoner rights
<input type="checkbox"/> Voter Education	<input type="checkbox"/> Paralegal Programmes
<input type="checkbox"/> Election Monitoring	<input type="checkbox"/> Transparency and Anti-Corruption
<input type="checkbox"/> Anti-Torture	<input type="checkbox"/> The Constitution
<input type="checkbox"/> Rights of the Child	<input type="checkbox"/> Conflict Resolution
<input type="checkbox"/> Governance Issues	<input type="checkbox"/> Female Genital Mutilation
<input type="checkbox"/> Marginalised groups right (e.g. The rights of the Ogiek Community)	<input type="checkbox"/> Affirmative Action
<input type="checkbox"/> Governance issues in the private sector	<input type="checkbox"/> Economic Rights
	<input type="checkbox"/> Political Education

Source: National Civic Education Records, July 2001.

4.5.2 Growing Influence of the Civil Society Sector

Beyond the growth in numbers, a more important trend from 1992 can be found in the growing influence that governance and democracy related civil society organisations have gained on the national platform in Kenya, since the 1990s. The preceding chapter on the political climate and its impact on civic education and the CSO providers discusses this feature in greater detail. This section will reiterate that review of the political climate in Kenya revealed that before the 1990s, government was responsible for precipitating the change and crises that rocked the nation. Since 1991, however, there has been a change, civil society is initiating action that is leading to political change and even crises. Since the repeal of Section 2(A), which was a consequence of pressure brought to bear on the State by civil society, changes in the constitution have been at the instigation of civil society. In previous times, changes in the constitution were done by the state and for the state.

The basis for this CSOs successful action has been civic education both organised and unorganised. Through civic education, CSOs have made available alternative sources of information and mobilised the public to initially support the calls for a multi-party state beginning in 1991. Subsequently civic education has been used to maintain pressure on government that has led to greater democratic space generally. Even though the government has found new ways to fight back, people all around the country gained the confidence and become emboldened to "revolt" and to start to defy authority, making the conditions and systems, which had kept them, cowed particularly from 1982 untenable. This pattern became established throughout the 1990s and continues today. Civil society has become effective in demanding change from the government and obtaining a response.

4.5.3 Growing Assertiveness

Before the beginning of the multi-party era, Kenyans were on the whole criticised continuously for being unassertive or apathetic. This characteristic was a constraint in many ways. Development agents and organisations experienced difficulty in recruiting the proposed beneficiaries of projects to participate actively in their implementation and management.

On the political front, outsiders repeatedly expressed surprise at the tolerance of the Kenyan public in the face of the excesses of their leadership, who routinely violated people's rights at will, and abused their powers. Throup and Hornsby confirm that over time the Moi regime came to rely on this characteristic as a means of maintaining power. "... The regime increasingly seemed to depend upon popular apathy and fear of the security forces..."¹⁰⁵

Participatory community mobilisation and education approaches such as civic education were developed as one of the arsenal of approaches that aimed at encouraging participation.

Today one of the impacts of civic education has been the growing assertiveness, which is developing in all spheres. Civic education providers report that the most successful civic education initiatives are those in which the individual is "transformed". This "transformation" is similar to the conscientisation process that is one of the objectives of the DEP/DELTA training programmes. The transformation allows individuals within a group to see themselves as capable of action. In early 1991 this transformation became evident all over the country in small and big ways and developed into what can only be seen as "people power".

¹⁰⁵ D. Throup and C. Hornsby (1998). *Multi-party politics in Kenya*. East African Educational Publishers, Nairobi, Kenya. Pg. 50.

Individuals and groups started to defy the dreaded, repressive all seeing administration and chiefs by openly making the two finger sign that made clear that they supported calls for a return of Kenya to a multi-party state. Newspaper reports of the time are full of acts of defiance committed by ordinary people. As a sign of the people's displeasure with the president, people started to stay away from national day celebrations and the president was forced to address sparse audiences. The same people who were staying away from the president's rallies, were attending opposition events and even civic education classes even when the authorities were against such events and warned the public of dire consequences of attending. Since then, people have continued to actively participate in rallies, meetings, protests and civic education itself, even when the authorities have been against such events and activities. It is this show of "people power" that has often forced the authorities to abandon unpopular positions. The minor and major constitutional review processes are evidence of how influential this people power has become.

Local community groups are also becoming assertive. For example, the forest dwelling Ogiek community has resisted government efforts to move them out of their ancestral forestland. The community has identified and used several CSOs to advocate for land law and policy reform that will protect rights to their ancestral forestland. In 2000, the Ogiek community working with several NGOs including Kenya Human Rights Commission and the Catholic Justice and Peace Commission of Nakuru took their case to court.

In March 2001, the Kangemi Paralegal Network located in a high-density poor suburb of Nairobi, mobilised the community to demolish a barrier that had been erected on a public road by the Lavington North Community Association. (This Association is made up of some of the wealthiest and influential people in Kenya, both local and foreign.) Such barriers have become a common feature in various city estates. They are supposed to be security measures in response to the deteriorating security situation. However, sometimes as in this case, the neighbourhood association places guards with intentions to prevent pedestrians from using a public road, which is illegal. Action taken by the Kangemi Paralegal Association against the Lavington North Community Association also reveals efforts that contribute to greater democratisation among different classes in Kenya Society.

Neighbourhood associations have emerged in many urban areas in protest against the government's inability to reign in crime and the inability of local authorities to provide with services, collect garbage and maintain infrastructure, despite the taxes and rates they pay. In Nairobi, Karen-Langata areas and Kangemi, neighbourhood associations have obtained court orders to prevent the local authorities from demanding rates for services that the authorities no longer provide.

4.5.3 Growth of Community Based Groups Addressing Human Rights, Good Governance, and Democracy Issues

Civic education providers report the development of community based organisations which are devoted either wholly or partially to human rights, good governance, and human rights issues as a consequence of the civic education that they received from the civil society organisations. Providing civic education to other members of their communities is one of the activities that these organisations engage in. The following are illustrative examples.

As a result of the Legal Resources Foundation's human rights programmes in Kangemi and Makuyu, those trained as paralegals have established community groups, called Kangemi Paralegal Network and Makuyu Paralegal Forum, which are involved in provision of basic legal aid as well as civic education to the community. The initial trainees have since identified other community members and trained them as well. These groups are registered by the government as self-help

groups. They have acquired capacity to raise external funding, and establish a small secretariat—both of them have been contracted to provide civic education by the National Civic Education Programme. Similar work by the International Commission of Jurists in Meru and Kitui has spawned community groups working on human rights, good governance, and democracy issues at the local level. The Kenya Human Rights Commission shelters community based human rights in Mombasa, Isiolo, Marsabit, Moyale, and elsewhere, which grew out of the Commission's work in those areas.

4.6 *Impact of CSOs and Civic Education on Moi Regime III (1998 -2001)*

4.6.1 *Policy Reform and Legislative Change*

As the imprint of civil society organisations has continued to grow in impact, their ability to influence national and institutional policy reform and legislative change has grown apace. This trend is becoming particularly evident in the Moi Regime III (1998 to 2001). Again in this context civic education for mass mobilisation in support of reforms or legislative changes has been important. Its importance can be captured in the example of Kenya Human Rights Commission's campaign to bring the appalling conditions of Kenya's prisons to the public and to policy makers (1998 to 2001).

This campaign has included setting up an Ex-prisoners Forum, which has brought together 30 prisoners from around the country to share their experiences in the presence of prison officials. As a consequence, KHRC was requested to deliver a presentation on the prison conditions before the Parliamentary Committee on the Administration of Justice and Legal Affairs.¹⁰⁶

The Release Political Prisoners Organisation (RPP) has had considerable success in its efforts at legislative reform. RPP is one of the new organisations, which can be defined as a special interest group. This organisation has been denied registration by the government. To overcome this legal hurdle, it operates as a programme of the Kenya Human Rights Commission (KHRC). The RPP emerged to respond to the plight of political prisoners who were imprisoned as a consequence of repressive laws including the law that allowed detention without trial before the multi-party era which began in December 1991. Although RPP has a narrow focus, it actively networked with other organisations such as political parties, pressure groups and other NGOs. RPP achieved a number of successes. Fifty-two political prisoners were released through the courts.

In 1992 the RPP were extremely successful in mobilising public opinion by co-opting the mothers of political prisoners. These mothers were to play an important symbolic role in the fight for multiparty politics when they stripped naked and faced down police men who had been sent to stop their hunger strike and clear them from "Freedom Corner" in Uhuru park. The pictures of the police officers running away from the naked old women was beamed by the international media all over Kenya and did much to win both national and international support for the pro-democracy forces.

In 1997 during the minor constitutional reform that came to be known as the Inter-party Parliamentary Group (IPPG I and II), the RPP with support from other civil society organisation succeeded in getting, several repressive laws repealed while others were introduced to control the police force and administration. Under IPPG new laws for the police were introduced to promote the idea of a police force which would be politically neutral.

IPPG II (1998) repealed the infamous law that allowed detention without trial, which had been used to good effect by both the Kenyatta and Moi regimes against opponents.

¹⁰⁶ Kenya Human Rights Commission Annual Report. 2000-2001. Pg. 9

The International Commission of Jurists (Kenya Section) Annual report entitled, "State of the Rule of Law in Kenya - 2000", reveals an important emergent trend in the co-operation between independent minded opposition parliamentarians and civil society organisations. This trend has seen co-operation between the two groups that has had the result of several private member's motions being brought before parliament successfully. The importance of the motions is that if enacted they would have considerable impact on human rights and the rule of law. The ICJ report alludes to the upstream effect of civic education efforts when it states the following, "...This year has demonstrated that better informed parliamentarians who are willing to build working bridges with civil societies, can add immeasurable value to human rights, democracy and the rule of law..."¹⁰⁷

Six private members motions and bills which represent co-operation between civil society are presented below. It is important to note that before the current parliament of 1997 - 2002 only one other private member's motion had ever been passed into law. This was the Hire Purchase Act brought by the late J. M. Karuki in 1972. The amount of work and resources required to develop a motion has been a major stumbling block for individual members of parliament working without support.

4.6.2 List of Private Members Motions

A motion for the **abolition of the death penalty**. The motion was defeated in the House in September 2000. The government did not support it. (Some of the information that was used to develop this motion was made available from research and other work conducted by the Kenya Human Rights Commission.)

A motion for the enactment of the **affirmative action law**. The law calls for positive discrimination in the creation of opportunities for hitherto marginalised individuals and groups, especially women. The government intends to vote against it. (Much of the work that went into developing this bill was done by women's CSOs such as FIDA and the Women's Political Caucus.)

A Bill for the enactment of a **Domestic Violence Act**. Among other things the new law will, if passed, provide for the compensation of women victims of domestic abuse. (Women's NGOs such as FIDA, Coalition Against Violence Against Women COVAW, and the Women's Political Caucus lobbied and contributed to the development of this Bill.)

A motion for the enactment of a **freedom of information law**. The law will liberate information from official secrecy. Government side does not support it. (The ICJ helped develop this motion and campaigned with the public through use of brochures, T-shirts and meetings with national level stakeholders.)

A motion for the establishment of a **truth and peace commission**. In mid 1998 a motion to establish a Truth and Peace Commission was passed but instead, the President pre-empted the Commission by appointing a Commission of Inquiry (under Cap.102 of the Laws of Kenya) into the land clashes chaired by Justice Akiwumi. The report was submitted to the President but has never been made public.

The proposed **Anti-Corruption and Economic Rights Bill** was moved by a committee chaired by an opposition member. The published draft has however, been watered down and gives

¹⁰⁷ International Commission of Jurists (Kenya Section) Annual Report. *State of the Rule of Law in Kenya - 2000*

the President more control in the appointment of Commissioners. The Bill is likely to be passed according to ICJ.

Several other laws that were initiated with civil society support have been passed by parliament these include, the Family Protection Act. Today civil society is incorporated into the Attorney General's task forces.

FIDA on the other hand takes a different approach to legislative change. Its Legal Aid Programme, handles test cases in order to set precedents in cases of women's rights abuse. Several such cases have been brought to the courts, some of which have received wide press coverage. These include the Masaai woman who took her husband to court in 1997 because he had been beating her. Although she lost, the extensive press coverage that the case generated helped to introduce issues of domestic violence to the public.¹⁰⁸

4.6.3 Effective Demand for Constitutional Change Created

The on-going process of Constitutional reform is a product of many forces. Civic education providers can stake a claim to it alongside other actors. Civic education providers have played two roles in this process. First, they have provided civic education on the Constitution. Secondly, they have provided alternative perspectives to that of the government and politicians on issues related to constitutional reform. In 1994, the Law Society of Kenya, the International Commission of Jurists, and the Kenya Human Rights Commission released a draft Constitution "*Kenya Tuitakayo*", that sparked widespread debate on the subject at a time when the movement towards reform was still weak. Civic education providers have pointed out flaws in the current legal framework for the Constitution of Kenya Review Commission and called for amendments. Further information on this issue is provided in chapter 2.0.

4.6.4 Impact on upstream institutions and communities government, private sector, donor community

Few civic education providers explicitly define their work with upstream organisations and institutions as civic education. Despite this definitional issue, these upstream organisations are being impacted and changes in attitude, perceptions and even behaviour is discernible. The upstream organisations in the context of this study include, private sector organisations, national institutions such as components of the government, political parties and external institutions such as donors. Targeting these upstream organisations is important because they can also play their part in creating room for participation for the communities and others who may be marginalised from decision making in these institutions.

4.6.5 The Private Sector: The Del Monte Campaign

In 1999 a campaign to improve the abysmal working conditions of Del Monte Workers was started internationally. In Kenya, Kenya Human Rights Commission spearheaded the initiative against the local company. The campaign members formed a group which was called the Solidarity Committee with Del Monte Workers which included human rights NGOs, trade unions representing workers at the multi-national's subsidiary in Thika, Del Monte Kenya Limited (DMKL).

The campaign exposed the poor working conditions of the workers at DMKL. The Solidarity Committee negotiated for improvements of workers conditions using a variety of approaches

¹⁰⁸ South Consulting. *Kenya Civil Society Programme: Review of Access to Justice Projects*. July, 2001. Pg. Annex 3. Pg. 2

including civic education. The campaign was successful and came to an end in 2001 after the DMKL agreed to sign a memorandum of understanding. Some of the successes include,

- Improvements of worker's rights,
- Issuing of protective clothing and equipment for workers handling pesticides
- the upgrading of 1,500 seasonal (temporary) workers to permanent worker status
- Improvement of housing

DMKL has started programmes aimed at supporting the local community of Ndula e. g. provision of water and improvement of a local school.

4.6.6 National Institutions

FIDA in this respect through its Gender Violence/Legal Awareness Programme launched a programme in 1994 to improve the status of women by reducing gender violence after consultations with various law enforcement agencies such as the Police and the Attorney General's office. The police agreed to participate and police officers have received an assortment of training aimed at helping improve their ability to handle cases of gender violence more effectively and with greater sensitivity.¹⁰⁹

4.6.7 The Media

Civil society involvement in the media sub-sector and with media houses is one of the recent developments within the DG sector. Individuals from the NGO sector have columns and write regularly for various newspapers. Newspapers have collaborated with CSO organisations to campaign and create awareness around certain human rights issues in 1997. The *East African Standard* launched an anti-rape, anti-sexual assault campaign together with FIDA. The campaign allowed the public to support the campaign by registering their names. The campaign run for several months and carried stories of victims and perpetrators of rape. It was informative and served to go beyond normal media approaches to stories by devoting time and resources for comprehensive coverage of the nature of rape and sexual assault in Kenya.

Several NGOs have been formed with objectives to write on development issues from progressive perspectives. These NGOs have been formed by journalists and have played an important role in creating links between civil society and the media. One of these new media NGOs called African Women and Child Feature Service has embarked on several activities aimed at influencing the perspective of the media houses to various issues. In March 1998, for example, AWC organised high level media training and consultations for editors to address the portrayal of the media of the so-called ethnic clashes which had preceded both the 1992 and 1997 general elections. The training session found that the media had been guilty of the following among other issues.

"...The media are guilty of allowing ethnic violence and tensions to drag on and build up to the proportions it reached...

Media rely heavily on the reality presented by politicians and others with a public voice and consistently fail to investigate facts for readers or to seek alternate views....

Media have contributed to the deterioration of the national psyche and have reinforced Kenyans perception of themselves as tribal entities....

Media have been lazy about deconstructing language that masks reality...." 110

¹⁰⁹ South Consulting. *Kenya Civil Society Programme: Review of Access to Justice Projects*. July, 2001. Annex F. Pg. 2.

¹¹⁰ Findings of African Women and Child feature Service. 3rd Editor's Roundtable, Hilton Hotel, Nairobi, March 11, 1998.

4.6.8 The Donors

Over the years, the donors have also gained from working closely with the CSO civic education providers and their target communities. They have gained an expanded knowledge of what constitutes successful and unsuccessful civic education and so can work with the sector rather than work against it. This is evidenced by the development of LiMiD and the support towards the formation of the National Civic Education Programme (NCEP) among other areas.

4.6.9 Impact of CSOs and Civic Education in Promoting the Rights of Women

Historically gender has taken centre stage among civic education providers for three reasons. First in the early days of civic education during the 1980s, gender was an area of focus because women were viewed as being non-threatening by the government. A gathering of women even when they were learning their legal rights was tolerated by the administration. Second women were more accessible than men because they were already organised into groups for social and economic purposes.¹¹¹ Third, the development sector had "discovered" women in the 1970s after recognising their role in development and the need to include them if sustainable development was to be achieved. Focus on women then became an automatic component of many sectors within the development world.

By the time the USAID civic education study was conducted in 1997, women were still prominent in the civic education field. One of the key findings of this study was that about 50% of civic education programmes focused on women as either targets of training or provided training with content on gender or women's rights. Further, in terms of impact of civic education, the same study found that the area of gender was one of the few areas that those who had received civic education specifically attributed new knowledge and new perceptions. This pertained to both men and women. Some male beneficiaries stated for example that the civic education training that they had received had enabled them to recognise that women too could become leaders. While for women, the training, enabled them to understand that there were no legal barriers that prohibited them from seeking political leadership, only cultural barriers.¹¹²

4.7 Growth of Women's Institutions

A review of impact of civic education in relation to gender reveals a whole spectrum of achievements from local level to policy level. The growth that the CSO sector has experienced has also been seen among women based organisations. Much of the impact of this growth has been in new national and regional level organisations with women's rights as their focus.

In sectors such as agriculture and at the community level, women are well organised particularly when compared to their male counterparts. However, at national level and in sectors such as the public sector and political arena, the reverse is true. It is men who are organised, and women have never been able to harness their grassroots counterparts in support of national issues or in support of women's candidates for parliament. Thus despite the fact that women make up the majority of voters, national level women leaders and institutions have never been able to capture the support of these voters for women based issues or candidates. In fact cultural traditions which support male leadership have enabled men to routinely harness and mobilise grassroots women in support of male led initiatives and agendas. The non-competitive political environment monopolised and

¹¹¹ These two points are supported by the USAID Civic Education Study of 1997.

¹¹² Ibid.

controlled by the state further undermined women's efforts to organise in support of their issues. The result has been a "fractured" women's movement which is famous for being a collection of individuals and organisations which together are less than the individual components.

The challenge for women has been the need for new thinking reflected in the establishment of a host of new organisations with women rights as their objective. Some existing organisations have incorporated rights based issues in their portfolio. A list of women's organisations and their focus areas and location is presented as annex 3 below.

4.7.1 Gender, Political and Legal Reform

Kenya's second multi-party election of 1997 illustrated the significant progress that women had made in their ability to demand and negotiate formally for their rights within civil society itself as well as with the political establishment and the ruling party KANU government.

On the political sphere, there were more women candidates for parliamentary and civic seats than there had been before, while the first woman presidential candidate stood and came 4th with over 500,000 votes. In the 1992 elections, 19 women were nominated by various parties to contest parliamentary seats. 6 women were elected and one was nominated. In 1997, a total of 150 women declared their interest to run for elections, 47 were nominated by their respective seats and six won their seats while 5 more were nominated. Although these figures are still low they do represent some gains as before multi-party politics there were only ever a total of two women in parliament at any one time, while the women candidates in total that participated in all 6 previous elections did not exceed 40.¹¹³

Organisations such as The League of Kenya Women Voters (LKWV) and Education Centre for Women and Development (ECWD) played a role in encouraging women to stand for elections by providing civic education to the general public aimed at breaking cultural barriers that women politicians face in Kenya. Although only five women were elected as members of parliament, women registered their presence more than at any other general election. The greatest gains made were at the civic level, where an unprecedented number of women were elected. Several towns elected women as mayors. These women mayors owe their elections to civic education programmes, which gave them the confidence to stand as candidates in the first place. Sensitisation of men in their areas also helped men overcome cultural barriers to women leaders and to vote for women to become mayor. Examples are the mayor of Embu, Voi and Kitui. In Embu town, the woman mayor benefited from the civic education and paralegal training programme that had been implemented by the Catholic Church from 1992. In Kitui town a woman Mayor was elected because of the influence of Charity Ngilu the 1997 woman presidential candidate.

From 1997, women were able to achieve progress in legal constitutional and administrative changes as well as the formation of coalitions and networks, which they used to champion their causes. Civic education was an effective tool employed by women to raise awareness and to harness support from the grassroots.

Among the most important vehicle that was formed by women to champion their political interests at this time was the Women's Political Caucus. The Caucus was created by women under the leadership of a highly respected former woman member of Parliament, Hon. Phoebe Asiyo. The impetus for forming the Caucus was the failure of the Affirmative Action Motion, which was brought

¹¹³ Figure compiled from records from the Institute for Development in Democracy. (July 1997). National Elections Data Book Kenya 1963 - 1997. Nairobi.

by women to parliament on 30th April 1992. During the negotiation for constitutional reform particularly in 1998, women led by the Caucus played an active and crucial role.

4.8 Growth of Wide-body of Knowledge/Research Economic Rights

The economic sector is one of the areas that has experienced the impact of the CSO sector and civic education in particular. In recent years, the economic sector has experienced liberalisation, which has allowed the participation of new groups and organisations in different aspects of the sector. CSOs have been able to participate in providing intellectual leadership in the form of information and analysis for the sector. CSOs have also provided neutral venues for different groups to come together and to discuss economic issues as they affect them. The unlikely effectiveness of the CSOs in this sector has arisen from the fact that they are able to make economic issues accessible to the general public and to policy makers who may not have the education to understand the sector with ease. The CSOs have been able to translate inaccessible economic jargon even as they bring issues down to the level of ordinary people.

Previously the role of providing intellectual leadership was undertaken by government or by universities or international institutions. In referring to this phenomenon, Jerry Crowley notes, "...Development pulse-keeping at this stage of Kenya's national life had been largely in the hands of an expatriate academic elite...".¹¹⁴ Home grown NGOs with expertise in economic analysis such as the Institute of Economic Affairs (IEA) IPAR, Kenya Women's Finance Trust and the Centre for Governance and Development (CGD) is evidence of this growing trend. They have served to radicalise the sector by linking economic issues with concepts such as good governance, justice, democracy and the rule of law. The quality of their publications and the growing influence of their initiatives has become evident in recent times.

In 1998 CGD managed to create avenues for national level discussion of the economy. CGD began this process by organising a meeting to discuss the ailing economy for members of parliament with participation from all political parties. The meeting was well attended attesting to the credibility that CGD had developed since its inception in 1995. The meeting initiated a furore within the ruling KANU party because it took the initiative to discuss economic issues away from it. The KANU government was forced to start addressing the economic decline at least in rhetoric.

The Institute of Economic Affairs undertook the Kenya Scenarios Project in 1998 and 1999. This project has been extremely influential in bringing together groups and policy makers to visualise possible pathways into Kenya's future and what might happen over the next 20 years based on policy decisions and other actions taken by major players. The presentation of the Scenarios project brought together captains of industry, representatives from different political parties, government, CSO representatives both from the NGO and religious sectors and prominent citizens and members of the international community. This broad-based participation was a sign of how well regarded IEA is across the board.

These two projects can be seen as providing intellectual leadership while at the same time undertaking "civic education" among groups that are not traditional recipients of this type of education. Today economic issues are discussed widely. CSOs can secure funding to address these issues with much greater ease from the donor community because the initiatives of the last few years have helped educate donors as to the scope that exists for CSOs to contribute towards economic governance.

¹¹⁴ Jerry Crowley, (1988). *Go to the People: An African Experience in Development Education*. CAFOD. London. p. i.

But it is probably at the local or community level, that these economic sectors CSOs have had their most important intellectual contribution. Liberalisation in the 1990s took place in many sectors. An example is the tea sector. As in other sectors in Kenya, the sector has a body called the Kenya Tea Development Authority or KTDA Authority charged with management and marketing of tea among other roles. The KTDA was established in 1964 under Section 191 of the Agriculture Act.

As in other aspects of agriculture in Kenya, small-scale producers are responsible for the bulk of tea production. On analysing the tea sector, *The Point* a bulletin of the IEA (Issue 20, April 1998) noted the following; "...The tea industry is full of contradictions. On the one hand, Kenyan tea has never been better. Indeed, the area around Mt. Kenya is reputed to produce the worlds finest and it is much sought-after internationally. The crop is currently Kenya's top foreign exchange earner.

And yet in the corresponding period, the standards of living and earnings of small-scale tea farmers—the backbone of the industry—have dropped dramatically. Complaints abound and the phrase "languishing in poverty" has entered the lexicon of people who must be among the most hardworking in Kenya...."¹¹⁵

Since its inception in 1964 KTDA has achieved impressive results. The number of small-scale farmers have increased from 20,000 in 1964 to 300,000 in 1997. The sub-sector has grown from 4,000 ha. to 100,000 by 1997. In 1964 KTDA had only one factory, today there are 45.

Yet from 1995 the small-scale farmers were in a state of revolt which turned bloody in several places including Kirinyaga, Embu, Meru and Nyeri districts. A tea-picking boycott from February 2nd to 20th 1997, led to losses of Kshs. 15 million per day. In the IEA report, the growing militancy among small-scale tea farmers is seen as a product of the times. The 1990s with political and economic liberalisation were defined by demands for justice, democracy, and good governance. The militancy is also the product of information reaching the small-scale farmers from sources other than the KTDA. This information came from CSO organisations, the media and from a new Organisation that was formed to champion the small-scale farmers. This was called KUSSTO. The information served to help farmers demystify the national and international tea marketing and to help them understand the importance of their role vis-à-vis the sector and its contribution to the Kenyan economy.

4.9 Development of Support Services for Civic Education

The growth of support services for civic education is itself an impact of civic education. The support services take two principal forms, examples here both relate to new methodological approaches for delivering civic education.

The example of participatory theatre is a case in point. The pioneering work of the Legal Resources Foundation in participatory theatre for rights education opened a new dimension to theatre. In 1994, the Legal Resources Foundation produced a participatory play, *The Cut*, on domestic violence. It was well received.¹¹⁶ Over the years, participatory theatre has become a key component of the civic education programmes run by the Centre for Governance and Development, Clarion, and the Kenya Human Rights Commission. It is because of the success of this medium that the National Civic Education Programme has adopted theatre as a key methodological approach in its programmes. CRECO, one of the consortia under this programme, is developing participatory theatre pieces. The

¹¹⁵ IEA. April 1998. *The Point*. Issue 20. Pg. 1.

¹¹⁶ Refer to the *Daily Nation* review in 1994.

adoption of theatre by civic education providers has not only enriched the medium itself but also created a source of livelihood for artistes.

CHAPTER FIVE

5.0 MAPPING OF CIVIC EDUCATION IN KENYA: 1963 TO 2001

5.1 Overview

The purpose of this mapping exercise is to organise information about civil society organisations and civic education in a way that will make it useful to assess the developments from 1963 to 2001. Mapping will include geographic maps which will be used to present information graphically (see annex 10). The maps will be used to identify and organise some important trends within the CSO sector over time. Matrices are also employed to capture comparative information for different political eras. Although some uniform information is presented that allows for some comparisons to be made of the civil society organisations in the different epochs, the section also identifies and discusses issues and features that were pertinent in a given epoch. Needless to say these issues differ from one era to another.

The chapter begins by identifying constraints faced in conducting the mapping study. The legal regimes under which civil society organisations have registered since 1963 are also presented. It is important to note that different terms for referring to the sector have been in popular use at different times. Thus from 1963 to 1988 the sector was variously referred to as the Non-government, voluntary or not-profit making and non-partisan sector. From the Mid 1980s to the end of the 1990s, the term most commonly used was Non-Governmental Organisation (NGO), while the late 1990s to present has seen growing popularity of the terms civil society and civil society organisation. To remain consistent with the rest of the study, this chapter is divided into the same time periods as the rest, these are Kenyatta Regime (1963 to 1978), and three Moi Regimes, (1978, to 1991, 1992 to 1997 and 1998 to 2001).

The categories of data which will be used in developing the maps and other forms of information for tracking developments within the CSO sector and the democracy and governance sector in which the methodology of civic education is located, are presented below.

- Total number of registered civil society organisations
- Total numbers of CSOs registered within the democracy governance sub-sector
- Geographic spread (1963 to 2001)
- List of CSO sub-sectors (1963 to 2001)
- List of donors (1963 to 2001)
- List of donors supporting DG CSOs and civic education (1963 to 2001)

5.2 Constraints of the Mapping Study

A mapping study of civic education has had its challenges because of the problems that have been discussed in detail elsewhere. These include questions of definition and are further compounded by lack of comprehensive information on all aspects of civic education and CSO providers in all time periods. Other challenges emanate from the changes in numbers of administrative units referred to as districts in Kenya, in recent times. Kenya is divided into 8 provinces, which have remained the same since independence in 1963. These are listed as Coast province, Eastern province, North Eastern province, Central province, Nairobi province, Rift Valley province, Western province and Nyanza and. These provinces are divided further into districts. Until 1992 the number of districts

had remained unchanged at 41. From 1992 many more districts were created and continue to be created, some have been gazetted and are thus legal while others exist only in name. This state of affairs means that it is now difficult to state just how many there are. For the purposes of this report, the old districts will be used throughout regardless of the era under discussion.

5.3 Legal Regimes Governing Civil Society Organisations in Kenya 1963 to 2001

In Kenya, civil society organisations have been established through several legal regimes. From 1963 to 1991 most NGOs were registered under the **Companies Act** as Companies Limited by guarantee and not having share capital or under the **Societies Act** as societies or associations. International organisations incorporated outside Kenya, and having operations in Kenya were exempt from registration while those incorporated locally were given a certificate of registration. All registered NGOs were legally recognised as non-state institutions that are voluntary, non-profit making and non-partisan. As such they were exempt from taxation. All such entities including donors operating in Kenya were expected to register with the Kenya National Council of Social Service (KNCSS) which was founded for this purpose in 1964 by the government. The KNCSS can be seen as the predecessor of the current NGO Co-ordination Board. It was charged with among other things facilitating co-ordination among the NGOs themselves and between NGOs and the government. Other roles were of the KNCSS "...a promoter and facilitator of NGO Management Supervisory and organisational development through provision of research, training and information services..."¹¹⁷ The KNCSS management structure included a council with membership from its NGO constituency of 129 organisations including; NGOs, churches, clubs, institutions, welfare societies engaged in development.¹¹⁸

The **Non-Governmental Organisations Co-ordination Act** of 1991 became the principal legislation governing CSOs from 1991 to the present. Registration under this Act confers an organisation with a separate and distinct legal identity from that of its members. A registered non-governmental organisation is able to sue or be sued in its name as well as to hold and dispose property. When this law was enacted the government's intention was to bring together all voluntary, not for profit, entities under one regulatory regime, but this has not succeeded. This is because the registration process is slow. Many organisations which applied for registration several years ago have yet to be registered. Legal Resources Foundation for example applied in 1994 and to date have not been registered.

5.4 Growth of Civil Society Organisations and Civic Education (1963 to 2001)

5.4.1 Institutional and Capacity Development 1963 to 1991

The Kenyatta regime inherited institutions developed by the colonial government. In 1962, just before independence, an Economic Commission constituted to examine these institutions determined that they were too sophisticated and too expensive for the African government to manage. The immediate task of the Kenyatta government was Africanisation. This meant replacing the European and Goan general administrative cadre in the civil service with Africans. This task was undertaken soon after independence. The government moved fast; by 1967, 97% of the general administrative cadre within government had been Africanised.¹¹⁹ As an instrument to achieve Africanisation, training was considered vital and the Kenya Institute of Administration (KIA) was created in 1961 to carryout accelerated programmes for staffing the civil service.

¹¹⁷ Kenya National Council of Social Service (KNCSS) (1988). P. 46

¹¹⁸ Ibid. p. 48

¹¹⁹ Interview with Mr. W. N. Wamalwa who was Director of Personnel and Secretary to the Cabinet at the time.

During the Kenyatta and the first few years of the Moi regime (1978 to 1991), government was the focus of institutional development in keeping with development theories that prevailed at the time. The government was also the source of most development goods and services for the people and was responsible for provision of services, training, extension to farmers, marketing of farm produce and so on. The government's public education focus was on three issues, the eradication of poverty, illiteracy and disease. Government policy encouraged participation of civil society organisations and fledgling indigenous civil society capable of working at the national level soon began to form. By 1978 the number of Non-government voluntary organisations (as NGOs were referred to then) registered by the Kenya National Council for Social Services (KNCSS) were about 124 while the number of indigenous ones had reached 65. By 1987, the number of indigenous NGOs had risen to 118 and the total registered was 480. Most of these indigenous NGOs focused on social welfare and few had started to initiate developmental or relief programmes.¹²⁰

Of the 65 indigenous NGOs that existed in 1978, only three local organisations stated explicitly that they had or had had a political agenda in the past. As it happens all three were women's organisations namely, Maendeleo Ya Wanawake Organisation which was credited with having launched the political careers of many women leaders of the time, the National Council of Women of Kenya (NCWK and the East African Women's league (EAWL) which was formed in 1917 by settler women in Kenya. The EAWL revealed that upon formation, its first objective had been "... to ensure the right to vote was granted to women as well as men. This achieved, the League turned its efforts to influencing legislation concerning the welfare of women and children..."¹²¹ This number rose only slightly to five when two other NGOs were formed in 1981 that offered legal education. These were the Public law Institute and Women's Progress Limited.

By the end of the Moi era, in the late 1990s, many of the achievements of the Kenyatta regime that had been made towards developing government systems and national institutions had been seriously undermined. Government became known for its inability to manage national resources and soon the infrastructure which had been the pride of Sub-Saharan Africa had begun to deteriorate. In the civil society sector, the *Harambee Movement* was "highjacked" by negative political forces who now used it for their own purpose. *Harambee* soon lost its appeal when it became literally mandatory as the local administration and chiefs coerced people to "donate" very often even the little that they had.

5.4.2 Democracy and Governance Sub-sector Emerges and Civic Education Widely Used (1992-1997)

In 1997 the United States Agency for International Development (USAID) Kenya mission undertook a comprehensive study on civic education. This study reviewed the state of civic education and the nature of the civic education providers from 1991 to 1997. The study captured civic education providers, their beneficiaries, and donors. Information from this study forms the basis for many of the findings for 1992 to 1997.

The USAID study indicated that by 1997 there were over 50 non-religion based civil society organisations providing civic education in Kenya (a list of 36 of these organisations is attached as annex 1). This represents significant growth from the five registered by the Kenya National Council for Social Services (KNCSS) in 1988. The study also revealed that the majority of the CSO providers organisations had their headquarters in Nairobi. Out of the 36, which were the basis of in depth

¹²⁰ Kenya National Council of Social Services records from the directory of 1988.

¹²¹ Mazingira Institute (1984). Directory of Women's Organisations in Kenya "84. Nairobi. p18.

study, only one was based out of Nairobi. The majority of civic education programmes were, however, run primarily among the rural communities, where the majority of Kenyans live.

Chapter three entitled, *The Impact of the Economic and Political Environment on Civil Society Organisations and Civic Education in Kenya 1963 to 2001* and Chapter four on *The Impact of Previous Civic Education Activities in Kenya, 1963 to 2001* provides information on the growing influence of especially the DG sector of civil society and civil society organisations in Kenya during this time period. The DG sub-sector went beyond those organisations that used civic education to many old and new NGOs, which ventured into the political realm. This is the era when many of the now influential local DG NGOs were formed. These include, Kenya Human Rights Commission (KHRC 1992, Legal Resources Foundation (1994), League of Kenya Women Voters (LKWV), and Education Centre for Women in Democracy (ECWD), Institute for Education in Democracy, Civic Resources and Information Centre (CRIC) and many others. The DG sub-sector came to occupy a prominent place numerically and is estimated to have comprised 25% of all registered CSOs in Kenya at the time. The sub-sector became influential and gained credibility from taking a leading role in the struggle for greater democratic space in the country from 1991.

5.4.3 Growth of Civic Education and the CSO Governance and Democracy Sub-sector Linked to Constitutional Review (1998 to 2001)

The mapping of civic education in the 1998 to 2001 time period reveals trends that point to significant changes in how civic education is conducted who is involved and how it is funded. Many of the emerging trends can be attributed to the link between civic education and the constitutional review process. This link is the reason for the high national profile that civic education assumed during this time.

Overall the emerging trend was that the governance and democracy sector continued to grow and diversify in this era. Indeed it became difficult to distinguish between DG CSOs and others as many organisations became involved in DG issues as they responded to the opportunities that became available in this sector, emanating from the launch of the constitution review process by the government. The greater availability of funding for the civic education sector from increased donor funding further fuelled the growth. The total number of NGOs recorded in this era was 2,100 and of these anywhere from 100 to over 200 were recorded by various sources as engaging in civic education (over two hundred are listed in annex 2 of this report). Many more were involved in the DG sector. Map 5.2 in annex 9 and the information in tables 5.1, 5.2, 5.3 and 5.4 provide further data and information concerning the status of civil society in Kenya in general and more specifically those in the DG sector and those using civic education.

A distinguishing feature of this era is that there is a great deal of information available on civic education initiatives. This information is the product of concerted collaboration and co-ordination in a variety of ways. First, both donors and civil society organisations have formed a National Civic Education Programme (NCEP). Second, most of the CSOs providing civic education have come together and formed consortia. Third, most of the donors have also come together to collaborate in a joint funding and management effort. Fourth, the development of a common curriculum, reference and training manual was achieved through NCEP for the first time. Fifth, centralised systems and mechanism have been put into place for common vetting and funds dispersal, common monitoring and evaluation functions, documentation and record keeping and a centralised system that ensures that civic education activities are dispersed equitably around the country. What is evident from the prevailing situation between 1998 to 2001 is that civic education is a "directed or controlled" national level programme rather than a methodology or approach utilised randomly by some DG CSOs, as was the case before.

Table 5. 1: Growth of Civil Society Organisations, DG Sub-sector and Civic Education, 1963 to 2001

No.	Item	1963 to 1978	1979 to 1988	1991 to 1997	1998 to 2001
1.	Total number of registered CSOs	124	480	1,500*	2,100*
2.	Total number of registered indigenous CSOs	65	118	1,000 (estimate)	1,500 (estimate)
3.	Total number of registered DG CSOs	3	5	50	100 to 200
4.	Total number of CSOs undertaking civic education or legal/political activities	3	5	50	100 to 200

Sources: Kenya National Council of Social Services (KNCSS) 1988. USAID Civic Education Study, 1997 and NGO Council, NCEP mapping by Divisions July 2001.

5.5 Geographic Coverage of Civil Society Organisations in Kenya 1963 to 2001

From 1963 to 1991, the development of the civil society sector was such that during this time there was a presence of different types of civil CSO organisations operating in all of the eight provinces and most districts within Kenya. Map 5.1 annex 9 identifies the spread of civil society organisations in Kenya while table 5.2 lists the number of NGOs in each district from 1963 to 1991. Certain districts had larger numbers than others. The map and related information indicates that these were Nairobi (40), Machakos (14) each. Districts in the area known as Northern Kenya had very few NGOs compounding the effects of the poor presence of government.

Table 5.2: Geographic Spread of NGOs in Kenya by District, 1963 to 1988¹²²

No.	District	Numbers	No.	District	Numbers
1	Baringo	8	21	Mandera	1
2	Bungoma	9	22	Marsabit	9
3	Busia	10	23	Meru	16
4	Elgeyo Marakwet	6	24	Mombasa	10
5	Embu	14	25	Muranga	7
6	Garissa	4	26	Nairobi	40
7	Isiolo	4	27	Nakuru	16
8	Kajiado	13	28	Nandi	4
9	Kakamega	14	29	Narok	7
10	Kiambu	4	30	Nyandarua	4
11	Kericho	14	31	Nyeri	10
12	Kilifi	7	32	Samburu	2
13	Kirinyaga	3	33	Siaya	11
14	Kisii	10	34	South Nyanza	13
15	Kisumu	17	35	Taita Taveta	8
16	Kitui	17	36	Tana River	5
17	Kwale	5	37	Trans Nzoia	5
18	Laikipia	6	38	Turukana	7
19	Lamu	2	39	Uasin Gishu	5
20	Machakos	22	40	Wajir	3
			41	West Pokot	3

Source: Kenya National Council of Social Services (1998)

* The exact numbers are difficult to come by because a different legal mechanism had been introduced in 1992. It has been estimated that by 1997 there were over 1,500 NGOs.

* See annex 2 for list of 210 CSOs that use civic education.

¹²² Information used by this study available on CSOs from 1963 to 1988.

5.5.1 Emergence of Civil Society Organisations and Civic Education Activities 1991 to 1997

The map of Kenya depicting NGOs from 1991 to 1997 is very different from previous maps. From 1991 the DG sector becomes a presence and civic education is conducted in many parts of the country. Despite this growth, however, the map illustrates a key finding of the USAID study. The study revealed that a few ethnic groups dominated among the beneficiaries and that there was a direct correlation with the ethnic groups that dominated the civic education providers. Thus over 90% of the survey's sample were dominated by four ethnic groups namely, Kikuyu, Luo, Luhya and Kamba. The study points out that,

"... it is important to note that these ethnic groups also happen to be perceived as the "opposition tribes," a perception reinforced by the fact that all the leading lights of opposition politics and leaders with declared presidential ambitions are from these groups..."¹²³

5.5.2 Geographical Coverage of Civil Society Organisations and Civic Education 1998 to 2001

A feature of the civic education initiative of the time period (1998 to 2001) is that it is being centrally managed under NCEP and funded by LiMiD. One of the objectives of the programming of both LiMiD and NCEP is to ensure wide distribution of civic education across the country. This "directed" civic education has ensured that most districts are participating and that even at district level there is equitable distribution so that CSO providers do not concentrate activities in one a few locations leaving out others. The directed nature of civic education has forced CSO's to locate the site of their programmes using much more objective criteria. Previously programmes were located based on narrow concerns, which could include the fact that a CSO staff member originated from a given district. The result was that there was limited geographic scope as the USAID study of 1997 found.

5.6 Civil Society Organisation and Civic Education Issue Coverage 1963 to 1991

The three tables below present issues covered from 1963 to 2001 reflecting the wide diversity of these issues that existed among CSOs. The first table provides information of the list of issues that were addressed by the civil society sector as a whole. From 1963 to the early 1980s, the DG sub-sector did not exist among the civil society. The concern of civil society was developing human and institutional capacity among the African population. The range of topics depicted in table 5.3 also illustrates a preoccupation with social welfare type issues. In this context organisations were formed to address the handicapped, the destitute, to provide school fees and bursaries for example.

In the 1980s there was a shift in the focus of CSOs. In addition to those concerns listed above, other new areas emerged. These areas were also now addressed in an increasingly radicalised form by the CSOs. These areas included "women and development" which challenged the concept of gender neutral development policies and required women's access to the development process. Environmental concerns were championed by NGOs such as KENGO, Mazingira Institute and the Green Belt Movement. Such issues received government support. An annual tree planting day was presided over by the president to express high-level government support.

The early 1990s saw the emergence of the democracy and governance sub-sector. The growth of this sub-sector has been a direct consequence of the greater democratic space that became

¹²³ Dart Thalman et al. (1997), p 18.

available with the repeal of Section 2A of the constitution in December 1991. Civil society took advantage of these new opportunities by starting new organisations in all CSO sectors.

Table 5.3: List of Issues/Sectors Addressed by Civic Education Providers 1963 to 1991

Recreation	Employment
Charity	Environment, Energy, Conservation and Development
Community Development	Population and Family planning
Technology	Relief and Development
Health	Handicapped
Food and Nutrition	Children
Water and sanitation	Youth
Education and training	Women
Shelter	Destitute
Agriculture	Religion
Social Counseling	Transport and communication

Source: Kenya National Council of Social Services (KNCSS) 1988.

Table 5.4: List of Issues Covered by Civic Education 1991 to 1997

From USAID study (1997)

<input type="checkbox"/> Legal rights/human rights awareness and advocacy
<input type="checkbox"/> Women's issues and rights
<input type="checkbox"/> General democracy and governance issues
Environmental and land rights
<input type="checkbox"/> Development work. ¹²⁴
<input type="checkbox"/> OTHERS
<input type="checkbox"/> Political prisoners
<input type="checkbox"/> Constitutional reform
<input type="checkbox"/> The media and freedom of expression and association
<input type="checkbox"/> Affirmative Action
<input type="checkbox"/> Tea and coffee sectors
<input type="checkbox"/> Pastoralist rights

Source: USAID Civic Education Study, 1997 and NGO Council.

Table 5.5: List of Issues/Sectors Addressed by Civic Education Providers, July 2001

Human Rights	Legal Education
Women's Rights	Prisoner rights Paralegal Programmes
Voter Education	Transparency and Anti-Corruption
Election Monitoring	The Constitution
Anti-Torture	Conflict Resolution
Rights of the Child	Female Genital Mutilation
Governance Issues	Affirmative Action
Marginalised groups right (e.g. The rights of the Ogiek Community)	Economic Rights
Governance issues in the private sector	Political Education
	Governance of the private sector

Source: National Civic Education Records, July 2001.

5.7 Mapping of Target Groups 1963 to 2001

In the early years after independence, there was a tendency for civil society to approach their target communities without much differentiation. There were assumptions that development was neutral and that there would be trickle down effects which would ensure that the positive impacts of

¹²⁴ Dart Thalman et al (1997), p 32.

development initiatives would spread to other members of the community other than the direct beneficiaries. As a consequence the target groups that the emergent CSO sector addressed tended to be more amorphous and limited in types as well. The table 5.6 below identifies the list of target groups for 1963 to 1991.

Implementation of activities and contact with communities soon helped development practitioners to understand that communities themselves were differentiated and that different categories had different access to resources, institutions and facilities. In response there was increasing differentiation of target groups as initiatives were developed with a special focus on different categories. The emergence of participatory approaches has led to even greater differentiation among target communities. The DG sector and civic education have benefited from these developments.

Most of the civic education providers used local churches or community based organisations such as women groups as channels to access their target group in the rural areas. This approach served several purposes. By going through a well-known local entity the organisations were able to access their target group and quickly win their trust. The local church or community-based organisation in turn provided the organisation with legitimacy. This approach was a means to help the organisation identify local issues, which the provider then integrated into their standard civic education package. A local church offered a meeting place, which did not require a permit and which helped the organisation evade the attention of the government.

Although civic education providers all stated that the majority of their target groups were composed of the grassroots, the beneficiary survey revealed that the majority of the beneficiaries were actually among the better educated and most were community leaders. This was an interesting finding and was consistent for most beneficiaries across the whole country. The providers when interviewed confirmed that they did indeed target community leaders with a relatively high level of education. They did this because their programmes were designed to have a replicating and ripple effect within their target communities.

Civic education programmes focusing on women either in terms of point of entry or as an area of programme focus, was one of the issues that stood out in the beneficiary findings. The reasons for the gender focus of the programmes are stated as follows:

"...Women are the most socially organised in Kenyan society and thus are targeted to enable them to participate more fully in the mainstream of society. Because civic education in Kenya is often perceived by the government as being politically threatening, public officials will often interfere in these programmes. Women, however, more typically come together in groups for a variety of purposes. Thus forming a group which includes a civic education curriculum would not necessarily attract as much attention from government officials..."¹²⁵

From 1998 to 2001 the target groups that were addressed by civil society organisations reveal a growing diversity as CSO providers began to specialise and focus on limited areas. A list of types of groups that are being addressed under the NCEP programme are presented in table 5.8. They include groups that have hitherto not featured as targets for civic education programmes. Such groups include members of the informal sector such as *matatu* operators, hawkers, *Jua Kali* workers.

¹²⁵ Dart Thalman et al. (1997), p 17.

Table 5.6 List of Target Group Addressed by CSOs 1963 to 1991

Leaders	Women
Youth	Women groups
Community based organisations	Women professionals
Co-operatives	School girls
Teachers	Self-help group
Farmers	Village committees
Disabled	Workers
	Pastoralists
	The general public

Source: Kenya National Council for Social Services (KNCSS)

Table 5.7: List of Target Groups for Civic Education (1992 to 1997)

Women	Youth
Abused women	Community based groups
Young women	Co-operatives
Workers	Religious community
Political prisoners	Teachers
Leaders	Farmers
Private sector	Village committees

Source: USAID Civic Education Study, 1997.

Table 5.8: List of Target Groups for Civic Education July 2001

High prevalence categories		Low prevalence categories
Leaders	Women	Village committees
Youth		Elders
Community based organisations		Hawkers
Co-operatives		Opinion leaders
Muslims		<i>Matatu</i> operators
Teachers		Religious leaders
Farmers		<i>Jua Kali</i> workers
Disabled		Religious organisations
Self-help group		Political parties
The private sector		
Village committees		
Workers		
Pastoralists		
The general public		

Source: NCEP mapping by Divisions July 2001

5.8 Funding of Civil Society Organisations and Civic Education Activities 1963 to 2001

During the Kenyatta era, the majority of donor support went to government, as it was the focus of almost all development initiatives. Little donor support went to indigenous civil society organisations. Indigenous civil society organisations such as Law Society of Kenya were not dependent on donor funds and relied mainly on membership fees to raise funds for their activities. Community based organisations and initiatives relied on local sources of funds. The *Harambee* movement was introduced during this era and was the trusted means of community fundraising.

The 1980s experienced a donor shift. International donors started to fund civil society organisations fuelling much of the growth that this sector experienced. The sector experienced expansion, diversification and growth in depth. Women and development became an important focus of the

sector as development specialists began to realise the folly of excluding one half of the population from accessing the opportunities of development. Environmental issues began to gain prominence as the negative impact of development patterns, which had treated the environment, and all natural resources as infinitely abundant began to be seen. Community development and participatory methodologies began to be developed, as failure of projects that did not begin with the target communities became evident. The table 5.9 provides categories of donors that supported the non-government voluntary sector from 1963 to 1978.

Outside of elections, two-thirds of the civic education organisations within the USAID study received funding from four main donors. The leading donors were the Swedish International Development Agency/Embassy of Sweden, United States Agency for International Development, and Danish International Development Agency/Embassy of Denmark.

Outside of general elections, only one donor reported co-ordinating its funding strategies and decisions with other donors. On the same issue, the study found that one of the suggestions that Non-Governmental Organisations made to donors was that they should better co-ordinate their funding strategies. Non-Governmental Organisations felt that such co-ordination would improve donor support to them.¹²⁶

Few donors required impact assessment of civic education activities that they had funded. Donor agencies made few demands on the civic education providers in terms of the management mechanisms and structures required to deliver the civic education. The study found that most do not have impact assessment indicators while evaluations tended to be generalised.

From 1998 to 2001, a total of seven donors came together to jointly support civic education programmes in a collaborative arrangement called the Like Minded Donors or LiMiD. Other donors such as USAID continued to support civic education independently. The list of donors under LiMiD are presented below.

Funding levels have reached an all time high of about Kshs 1 billion for civic education and related activities. Donors developed co-ordinated funding strategies and decision making through the LiMiD or Like Minded Donor group. Through the LiMiD, donors have come together to provide joint funding for the NCEP programme. The donors who are participating in this joint funding initiative include IDRC, DANIDA, SIDA, CIDA, NORAD, DIFID and the Netherlands Embassy. Donor support for civic education organisations has widened considerably beyond the traditional ones that had a tendency to receive support. These traditional ones were characterised by being Nairobi based and being led well-known high profile individuals.

This broadening of support extends to organisations that are located outside of Nairobi. Under NCEP a number of organisations that are located outside of Nairobi, have received support. While a number of others are first time recipients of donor support. This widening of support will contribute to greater and wider participation of communities and organisations in the democratisation process in Kenya. This is because they will be able to make representation of their ideas, concerns and issues in the national constitutional reform debate. Further, many of these new recipients will for the first time enter the debate and stand to gain knowledge as to how donor funding works. This will have long-term consequences for them in that they can use these skills to access more funding for other concerns in the future.

¹²⁶ Dart Thalman et al (1997), p 54.

Table 5.9: Categories of Donors for CSOs 1963 to 1988

- ❑ The Kenya National Council of Social Services (KNCSS) directory of 1988, lists four basic category of donor these were mainly;
- ❑ Local donor NGO which are identified as, Foundation for Social Habilitation, the Chandaria Foundation and the Development Universal Church of East Africa.
- ❑ Foreign donor NGO which number 17 and include international NGOs such as Catholic Relief services, the Ford Foundation and Tear Fund.
- ❑ Local donor operational NGOs number 23 and include, Family Planning association of Kenya, Riat Development and Kenya Book Foundation
- ❑ Foreign donor operational NGOs number 52 and include Action Aid Kenya, Aga Khan Foundation and Care International in Kenya.
- ❑ Foreign donor umbrella NGOs numbering 4
- ❑ Local Operational donor umbrella NGO numbered 2
- ❑ Foreign operational donor umbrella NGO were 2.

Source: Kenya National Council of Social Services (1998)

Table 5.10: Donors Funding Civic Education (1992 to 1997)

- ❑ Swedish International Development Agency/Embassy of Sweden
- ❑ United States Agency for International Development
- ❑ Danish International Development Agency/Embassy of Denmark
- ❑ Ford Foundation and government of Norway

Source: USAID Civic Education Study, 1997.

Table 5.11: List of LIMiD Donor Members (1998 to 2001)

- ❑ International Development Research Centre (IDRC)
- ❑ DANIDA (Danish government)
- ❑ SIDA (Swedish government)
- ❑ CIDA (Canadian government)
- ❑ NORAD (Norwegian government)
- ❑ DIFID (British government)

Source: National Civic Education Records, July 2001.

5.9 The Religious Sector and Civic Education (the example of DEP/DELTA) 1963 to 2001

In a highly religious society, religion and religious institutions have always had an important place. Before independence, religious institutions were responsible for many of the educational opportunities that were available to the African population. A church was typically accompanied by a school and a health facility in many places across the country. After independence, the religious sector continued to be dominant even within civil society. It had the largest spread and had embarked on more development and relief operations than the secular civil society while the latter was dominated by foreign NGOs. By the mid-1980s the situation had changed this sector was largely in the hands of Africans and started to experience growing radicalisation as discussed in chapter three.

In 1974, the Catholic Church and the National Council of Churches of Kenya (NCCCK) formed the Development for Education Programme (DEP) and Development Education for Leadership and Team Action (DELTA). Map 5. 4 annex 9 provides the distribution of the diocese of the Catholic Church in Kenya as proxy for distribution of the DEP/DELTA programme in Kenya (1973 to 1982). The Development Education Programme (DEP) can be seen as a precursor to the current civic education programme in Kenya in that it also involved a quest for justice through the participation of

people in their own development. By 1981, DELTA had become a successful nation wide development movement, and had extensive coverage in most of the country. The only exceptions were those parts that were strongly Muslim. From these origins in Kenya, DELTA has spread to other African countries, namely, Uganda, Zambia, Swaziland, Lesotho, Zimbabwe, South Africa, Nigeria, and Sierra Leone. The map below illustrates the distribution of the Catholic Church in Kenya as proxy for distribution of the DEP/DELTA programme in Kenya.

The focus of the DEP/DELTA programme was at the community level and much of the activities were focused on community development aspects. In a major evaluation of the programme performed in 1982, it was reported that both the diocesan teams that conducted the conscientisation training together with the beneficiary communities emphasised improved standards of living as the main outcome of DEP activity.¹²⁷ Other areas that were the focus of the DEP activity include personal growth, religious life, communal activity, and social transformation.¹²⁸

Growing radicalisation of the religious institutions has been addressed in chapter 3 of this report. This radicalisation meant that these institutions both Muslim and Christian were able to incorporate civic education within their programmes and activities. In the case of religious based civic education programmes, the USAID civic education study of 1997 study found that the large mainstream churches played a major role in the delivery of civic education directly with their own programmes and indirectly by being channels through which other providers reached their target groups. The study did not find even one incident of civic education among the so-called African response churches or the new evangelical churches.

5.10 Conclusions

Studies of different aspects of the civic education programme that has been embarked on under NCEP and through the support of other donors should become an integral part of the implementation of the NCEP. This will ensure that the programme remains focused on its objectives. Furthermore, through this process of conducting regular studies, the achievements and lessons learned from the implementation process can be recorded and made available to a wider public.

5.11 Recommendation

The NCEP is an important programme, which can add considerable value to the growth of the civic education sector for all those concerned. It can play an important role by providing intellectual leadership for the sector and by providing opportunities for the sector to reflect and define itself better. NCEP can facilitate the CSOs involved in civic education become more professional by doing the following:

- Adapting and adopting appropriate management systems and structures, which will facilitate effective programme delivery.
- Encourage CSO civic education providers to adapt and adopt M&E and performance indicators.
- Facilitate widespread distribution of the same throughout the civic education CSO community.
- Adapting and adopting appropriate management systems and structures, which will facilitate effective programme delivery,
- Encourage CSO civic education providers to adapt and adopt M&E and performance indicators.

¹²⁷ Christian Development Education Service, Nairobi (1981), *Major Evaluation of the Development Education Programme in Kenya 1994 –1981* p 84.

¹²⁸ Christian Development Education Service, Nairobi (1981), *Major Evaluation of the Development Education Programme in Kenya 1994 –1981* p 83-84.

- Facilitate widespread distribution of the same throughout the civic education CSO community.

CHAPTER SIX

6.0 IMPEDIMENTS TO CIVIC EDUCATION IN KENYA AND COPING STRATEGIES

6.1 Overview

Impediments to civic education will be analysed at two levels. First, there are external impediments. These are impediments outside the immediate control and influence of organisations providing civic education. External impediments may emanate from the State, non-State actors, funding partners, and other factors. They include delays in registration and non-registration of civic education organisations, harassment of civic education providers, inaccessibility of parts of the country due to poor communication and insecurity, and the challenge of poverty.

Secondly, there are internal impediments. These are impediments within the control and influence of civic education providers. They include poor monitoring, supervision, documentation, and evaluation of civic education activities and weak organisation structures in some civic education providers. Below, we first review external impediments and then turn to internal impediments.

These impediments, whether external or internal, have not been constant over the years. While the genre may not change much, how an impediment manifests itself from time to time does change over the years.

Civic education organisations have found innovative ways to cope with many of the impediments that they face in their work. In the following sections, we explore a number of coping strategies. These strategies are based on the experiences of a diverse range of civic education providers. They are not presented as universal truths since the experiences of particular organisations are often unique.

6.2 Findings on Impediments to Civic Education in Kenya and Coping Strategies

6.2.1 External Impediments Emanating from the State

a. There are delays in registration and threats of de-registration of civic education providers

Civic education providers seeking registration are frequently subjected to long delays by the authorities. The principal legal regime under which most civic education providers constitute themselves and seek registration is the Non-Governmental Organisation's Co-ordination Act, 1991.¹²⁹ The Act creates a government controlled Board, whose primary function is to register Non-

¹²⁹ Some civic education providers are established under other legal regimes, e.g. as Societies registered under the Societies Act, Cap 108 (the International Commission of Jurists Kenya Section is an example), as Companies limited by guarantee, registered under the Companies Act, Cap 486 (of which the Institute for Education in Democracy is an example), or as Trusts constituted under the law of trusts, principles of equity, and the Trustee Act, Cap 167 (of which the Legal Resources Foundation is an example).

Governmental Organisations that wish to operate in Kenya.¹³⁰ A related function is to maintain, and regularly review, a register of all NGOs operating in Kenya with the precise sectors, affiliations and locations of their activities. Non-Governmental Organisations are required to submit annual reports to the Board, which is then supposed to discuss and review the reports. In addition, the Board is tasked with providing policy guidelines to Non-Governmental Organisations for harmonising their activities 'to the national plan for Kenya'.¹³¹ The Act also gives the Board power to de-register non-governmental organisations.¹³²

When human rights/civic education organisations take positions critical of the government, pro-establishment leaders frequently threaten them with de-registration. Occasionally, the threats are carried out; in [1993], the Centre for Law and Research International (CLARION) was de-registered as a non-governmental organisation after it published research findings on corruption that irked the authorities. CLARION was re-registered in [1998] after concerted lobbying.

Coping Strategy

Organisations whose registration is delayed, denied, or which are de-registered may be given 'legal cover' by existing registered civil society organisations. Legally, 'hosted' organisations operate as 'projects' of the 'hosting' entity. In practice, they are autonomous organisations – though the autonomy varies- with their own governance structures, programmes, and budgets distinct from that of the host. If the hosted organisation wants to, it can satisfy its legal obligations, e.g. deduction and remittance of statutory payroll deductions through the host.

The following examples illustrate this arrangement. The Kenya Human Rights Commission, a registered non-governmental organisation, plays host to a number of organisations-- Release Political Prisoner's (Nairobi), Citizens Coalition for Constitutional Change (Nairobi), Muslims for Human Rights (Mombasa), and until recently, the Legal Resources Foundation (Nairobi). In the period 2000-2001, seven new human rights groups were granted legal cover by the Commission. These are the Centre for Human Rights and Civic Education (Mwingi), Hussein Sora Foundation for

¹³⁰ The Act does not provide a time-line within which applications are to be dealt with, thereby resulting in long delays. For example, the Legal Resources Foundation submitted its application for registration under the Act in 1996. To date, there has been no formal response to that application.

¹³¹ See Section 7 of the Act.

¹³² According to Section 10 of the Act, the chief officer of a proposed organisation should submit applications for registration to the Bureau (the secretariat arm of the Board), using a prescribed form. The applicant should specify the officers of the organisation, its postal and physical addresses, the sectors and districts it proposes to work with, proposed annual budget and sources of funding, and duration of activities. Section 14 of the Act provides that registration may be refused if the Board is faced with any of the following three scenarios: that the organisation's proposed activities or procedures are not in the national interest; the applicant has given false information on its application forms; and the Council established by the Act (composed of registered Non-Governmental Organisations) has not recommended the application. Because the Act does not define what is or is not 'national interest', there is the possibility that the Board may make decisions based on subjective or irrelevant factors. Section 16 of the Act gives the Board power to de-register Non-Governmental Organisations on any of the following three grounds. First, if the organisation has violated the terms or conditions attached to its certificate of registration (under Section 13 (2), the Board can de-register an organisation subject to specified terms and conditions). Second, if the organisation has breached provision of the Act (e.g. failure to submit annual reports). Third, if the Council has recommended de-registration of the organisation. Because the Board is a creation of Statute, it is bound to apply the rules of natural justice when considering de-registering an organisation. These principles require that the organisation should be given adequate opportunity to be heard in its defence, the Board should be free of any bias or corruption in arriving at its decision, and only relevant factors should be considered. Under Section 34, there is a right of appeal to the Minister against de-registration. Although the Minister's decision is described as final and binding, as a matter of law it can be challenged in a court of law if his or the Board's decision is arrived at in violation of the principles of natural justice or the Act itself.

Human Rights and Democracy (Isiolo), Support for Peoples Initiatives in Development, Enhancement and Resources (Nyahururu), Rural Centre for Human Rights and Democracy (Maragua), Centre for Human Rights and Democracy (Meru), the League of Small Scale Coffee Farmers (Thika), and the National Aid for Pastoral Change (Moyale).¹³³

The International Commission of Jurists hosted the Centre for Governance and Development (CGD) until 2000. When Clarion was de-registered, it re-established itself as Research and Civic Awareness Programme (RECAP), hosted also by the International Commission of Jurists. People Against Torture (PAT) is a project of the Social Development Network. The Ecumenical Centre for Justice and Peace is a programme of the Ecumenical Trust.

In a few cases, organisations have deliberately chosen not to submit themselves to the registration process on the basis that the laws governing registration are oppressive and dictatorial. In addition, they may postulate that they are a lobby group and as such do not require registration. The Release Political Prisoner's Pressure group (RPP) takes this position.

Experience suggests that whether or not donors will extend support to 'hosted' organisations will primarily depend on how much trust they have in the leadership of the hosted organisation.¹³⁴ The donor-grantee relationship is founded on the donor's risk assessment of the organisation. The credibility and track record of key individuals in the organisation is an important aspect of the risk assessment. It is for this reason that hosted organisations have been able to solicit and receive donor support notwithstanding their weak legal grounding.

The 'price' that hosted organisations pay for the hosting varies. In almost all cases, the hosted organisation has to cede part of its autonomy to the host. At the Kenya Human Rights Commission, the Commission seconds one of its officials to sit in the policy-making organs of the hosted organisation. When the hosted organisation's bank accounts are opened under the name of the Commission, cheques (often those above an agreed amount) have to be signed by a Commission representative. This can lead to delays in programme implementation when the Commission's representative is not available. Letterheads, annual reports, books, magazines, and other resources by the hosted organisation have to recognise and state that it is a project of the Commission. There is a financial cost as well. The Commission requires that hosted organisations pay up to sixty thousands shillings a year to cover the Commission's costs.

Nevertheless, there are also gains for the hosted organisation. The obvious one is that the hosted organisation is able to operate and implement programmes. The second one is that the hosted organisation can borrow and benefit from the host's good management practices and expertise in proposal writing and fundraising.

At times, the host versus hosted organisation's relationship can appear farcical, as when the hosted organisation is bigger than, or as big as, the host. An example is the Centre for Governance and Development, hosted by the International Commission for Jurists. The former is as big and prominent an organisation as the latter. The results might even appear comical, such as when a network of registered organisations is itself hosted by a network member. Such is the situation with the Constitution Reform and Education Consortium (CRE-CO), which is hosted by the Kenya Human Rights Commission.

¹³³ See the Kenya Human Rights Commission, *Annual Report (2000-2001)* p 13.

¹³⁴ The hosted organisations in practice receive money from donors though levels of support vary from one organisation to the other.

b. Civic education providers are harassed in the course of their activities and criminal sanctions applied against them

There is no readily available data on the number of disruptions of civic education activities by the police over the years. A review of local daily newspapers as well the Quarterly Human Rights Reports published by the Kenya Human Rights Commission suggests that in recent years, there may have been a reduction in disruptions. Still, civic education providers suffer harassment and intimidation in the course of their work. Harassment may emanate from the State or its agents, usually the police or the provincial administration. Harassment can and does emanate from non-state actors, such as political parties and local leaders.¹³⁵

Harassment of human rights and civic education organisations is motivated by the fact that the State in Kenya does not view them as legitimate development partners in the same way that it views those organisations providing services such as education, health, water and famine relief. The work of the former organisations is seen to question the *status quo* while the latter, in the perception of government, does not. Yet, the distinction is not as simplistic as it may appear. On the one hand, some human rights and civic education organisations attract more scrutiny from the State than others do. Advocacy oriented groups are more likely to be monitored than education and awareness groups; the reason is that advocacy initiatives challenge the status quo situation perceptibly and presently than education and awareness initiatives.¹³⁶ On the other hand, when service delivery organisations begin to question the social, economic, and political causes of the non-availability of the service they are delivering, they will almost certainly begin to attract the attention of the State. That explains why certain dioceses of the Catholic Church in Kenya, such as Lodwar and Kitale, despite of their massive service delivery in the education, health, food, and water sectors, attract the government's displeasure.¹³⁷ The Church also demands for justice and fairness in the way that these services and others that the State provides are managed.

¹³⁵ The following is a sample of incidents in which civic education activities have been disrupted. In September 2001, police stopped a workshop organised by the Release Political Prisoners (RPP) for squatters in Katelembo, Machakos District. Earlier in the year, police had stopped another workshop by the same group in the same area and 93 participants arrested; they were subsequently released. (Interview with Tirop Kitur, Coordinator of the RPP, on 11th September 2001). On 20 October 2001, up to 71 activists celebrating an 'alternative Kenyatta Day' at the Release Political Prisoners' offices in Nairobi were arrested by the police and charged in court (*Daily Nation*, 21st October 2001, p 1). A month later, the case against them was thrown out by the court, which determined that the charges were defective. In August 2000, local artistes participating in a civic education play by the Centre for Governance and Development were arrested in Nanyuki town and charged with participating in an unlawful meeting, carrying firearms (actually props), and being members of *Mungiki*, an illegal organisation. The charges were subsequently withdrawn. In March 2000, three members of the Kenya Human Rights Commission together with eleven other human rights defenders were arrested in Tinnet Forest, Nakuru District, where they had gone to conduct human rights education activities. It was alleged that they had participated in an illegal meeting (Kenya Human Rights Commission, *Quarterly Human Right Reports*, Vol. 2 No. 2, 2000, p 36). In 1999, the police stopped a play on constitutional reform and human rights by Machakos based Kastigar theatre group. The police alleged that the group failed to notify the police about the play (*Daily Nation*, November 9, 1999).

¹³⁶ On March 1 2000, some community members in Korogocho (one of Nairobi's biggest slums) working with Kituo Cha Sheria were summoned to Ruaraka Police Post and told to go to Muthaiga Police Station. They were asked to explain what they were doing on February 27. This was the day when residents of Kisumu Ndogo within the area held a workshop with the assistance of Kituo Cha Sheria and elected officials of their security committee to deal with rampant cases of insecurity. They were subsequently charged with holding an illegal meeting. This is the sort of action that the State sees as threatening. By electing their own security officials, the community was expressing its lack of confidence in the State's ability to protect them. Kenya Human Rights Commission, *Quarterly Human Rights Reports Vol. 2 (2000)* p 33.

¹³⁷ According to Anthony Njui of the national secretariat of the Catholic Justice and Peace Commission, officers and clergy working with the Commission in Lodwar and Kitale Dioceses have occasionally reported threats directed at them arising from their civic education activities.

Another reason for State interference in civic education and human right organisations is its perception that they receive large amounts of money from outside the country.¹³⁸ The government has concerns as to ends to which such money may be directed.

Harassment is sometimes delivered in subtle ways, as when government functionaries make unlawful demands on civic education and human rights organisations. For example, organisations may be asked to disclose their operations and budgets to members of the provincial administration despite the fact that the legislation they operate under, primarily the Non-Governmental Organisations Co-ordination Act, 1991, does not require them to disclose such information to the provincial administration.¹³⁹

When civic education activities are disrupted, the police can, and does, arrest those involved, who are then charged in court with offences under the Public Order Act.¹⁴⁰ This has several consequences. First, the civic education providers have to bear the cost of defending themselves in court, including hiring lawyers.¹⁴¹ Civic education providers can ill afford to incur such costs because they will not be budgeted for in the funding received from donors. Second, some communities involved in disrupted civic education activities may become fearful and abandon the project, leading to further delays. Third, delays in programme implementation schedule may jeopardise future funding from donors who may expect the organisation to deliver its programme according to the original work plan and time line, with little room for re-negotiation.

Harassment and intimidation of civic education providers takes place in spite of government policy supporting the growth of a citizenry aware of its rights and obligations. In the *Poverty Reduction Strategy Paper, 2001*, government commits itself to 'promote public awareness on legal rights, encourage the culture of seeking legal redress whenever necessary, train paralegals, employ additional legal drafters, and provide civic education.'¹⁴² (Emphasis added). There is a wide chasm between the government's rhetoric and practice.

Interference with civic education activities tends to rise during key political moments. Consequently, with the on-going constitutional review process, the Moi succession struggles, and the upcoming general election in 2002, a pattern of increased harassment is likely to emerge.

Coping Strategy

Civic education work is exempt from the prior notification requirements of the Public Order Act.¹⁴³ The Act makes specific exemption for activities carried by registered religious groups. For this reason, civic education groups conducting their activities in religious places such as churches and mosques can do so without attracting the wrath of authorities or individuals out to disrupt them.

¹³⁸ This perception is often false. The levels of funding that civic education and human rights organisations receive on an annual basis is small in comparison with the budgets of service delivery civil society organisations. In its latest strategic plan 2001-2005, FIDA, one of the largest civic education and human rights organisations in Kenya presently, has a budget of just above Ksh. 50 million. The annual budgets of organisations like Plan International in Kenya, Care Kenya, and Action Aid Kenya run into hundreds of millions.

¹³⁹ Such a pronouncement was issued against NGOs generally by the Nairobi Provincial Commissioner in April 2000. See Kenya Human Rights Commission, *Quarterly Human Rights Reports, Vol. 2. (2000) No. 4*, p 30. In November 2000, the President was reported to have promised to name and shame NGOs that were allegedly using the promotion of democracy as a pretext for subvert the government. See Kenya Human Rights Commission, *Quarterly Human Rights Reports, Vol. 2. No 4* p 35.

¹⁴⁰ Chapter 56 of the Laws of Kenya.

¹⁴¹ Local lawyers have offered pro-bono support to civic education providers charged in court. This support however tends to be ad hoc and cannot always be anticipated.

¹⁴² See Ministry of Finance and Planning, *Poverty Reduction Strategy Paper for the Period 2001-2004* at p 51.

¹⁴³ Chapter 56 of the Laws of Kenya.

Civic education providers sometimes *negotiate* with those who seek to disrupt their on-going activities. In appropriate cases, non-violent resistance – standing one's ground – has been used successfully. The Release Political Prisoners group (RPP) has tried both approaches.¹⁴⁴ When community members have been prevailed upon to stay away from a civic education activity through instillation of fear, it is important that the activity proceeds even with the few that attend. This builds their confidence, and that of others, on the legality and legitimacy of the civic education activity. It is up to each civic education provider to decide, in the context of particular circumstances, the strategic response.

Police and the provincial administration, because of lack of knowledge about the legal regime that governs civic education or pre-judgement and misjudgement about the subject, occasionally disrupt civic education activities. Training and sensitising government officials on the role of civic education helps these officers to intervene less frequently.¹⁴⁵

6.2.2 External Impediments Emanating from the Funding Partners

a. Funding for civic education work is limited

Adequacy or inadequacy of funding can often be a subjective conclusion yet it cannot be denied that funding to carry out civic education is limited, and episodic. In a 1997 study by the United States Agency for International Development (USAID) Kenya mission, 87% of civic education providers interviewed reported that their financial resources were inadequate.¹⁴⁶ In its annual report for 2000/2001, the Kangemi Women Empowerment Centre, a local NGO, the Executive Director notes that the 'period under review was also one of significantly few and dwindling resources. This constrained programme implementation and in turn community confidence in the empowerment process'.

In most civic education provider organisations, up to 100 percent of funding comes from external sources. From the annual report of the Kangemi Women Empowerment Centre, it is clear that all the money received in the period under review came from external sources. An analysis of the financial report for the Kenya Human Rights Commission's 2000-2001 period shows that more than 98% of its funding during the period was externally generated. The consequence of reliance, or over reliance, on external donor funding, is that if the policies of the donor change, and they often do, the civic education provider risks having to close down. It is also possible that the funders can manipulate the vision of civic education providers relying wholly or significantly on external funding.

Local funding to civic education providers is negligible. Local philanthropy is limited but even the little available is more likely to be directed towards direct service delivery, e.g. construction of schools and hospitals and provision of water and sanitation to those without access. The recent establishment of the Kenya Community Development Foundation, a local philanthropy initiative, is a welcome development that may spur local funding to local civic education providers.

According to the USAID report, the primary donors in 1997 (in funding amounts) are the Swedish International Development Agency (SIDA), the United States Agency for International Development

¹⁴⁴ Interview with Tirop Kitur of the Release Political Prisoners group.

¹⁴⁵ The Constitution of Kenya Constitution Review Commission proposes to take this approach in its civic education work. This point was made in a presentation at a panel discussion during an exhibition on civic education organised by the Centre for Governance and Development between 11th and 12th October 2001. Training government officers on human rights and civic education issues in order to reduce their own suspicions about these issues is a strategy increasingly employed by human rights and civic education providers. The Legal Resources Foundation and FIDA Kenya have trained government Chiefs, in Thika District and Western Province respectively, in 2001. This information is contained in the respective annual reports for 2001.

¹⁴⁶ Dart Thalman et al. al., *Civic Education Study for Kenya*, 1997, p 34.

(USAID), the Danish International Development Agency (DANIDA), the Ford Foundation, and Norway (comprised of Norwegian Embassy and NORAD).¹⁴⁷ The German Foundations and the Dutch also provided some funding.

Since funding is limited, the coverage of civic education is limited both in terms of numbers trained and reached as well as in terms of area of spread. Because of the limited funding on the one hand, and on the other, the desire by civic education providers to be seen to be effective in their reach, organisations typically overstate their presence. For example, an organisation that describes itself as working in districts A, B, and C may only be training 30 civic education trainers in each district, a number which can only have very limited impact.¹⁴⁸

Coping Strategies

The co-ordinated efforts of the Western donor community in Nairobi to provide basket funding towards the National Civic Education Programme are noteworthy. It is not clear how much that support is but it is certainly more than the usual annual allocation of these donors.¹⁴⁹ While it is too early to judge the efficacy of the National Civic Education Programme, if successful, it should be replicated in the support that the donors are likely to extend for voter education and election monitoring during the 2002 general elections in Kenya. Donors may want to establish a basket fund for continuing human rights and civic education programmes in Kenya.

b. Funding for civic education work is short term

Funding for civic education, particularly for voter education and electoral monitoring, tends to be short term, typically related to general elections. The funding is also project based, with activities running, on average, for two years. In the project approach, inputs and outputs are clearly defined at the project design stage; there is little room for exploration and experimentation. Emphasis on the project approach can act as a constraint in the delivery of civic education because it undermines the use of processes in implementing a civic education programme.

In the past, civic education was mostly on electoral information and election observation and monitoring, and tended to come near general elections time. In the 1992 and 1997 General Elections, for example, donor funding for CSO input in the elections in the form of voter education and election monitoring was in excess of US\$ 600,000. The funding was done jointly by several donors.¹⁵⁰ The short term nature of funding means that civic education providers are unable to develop programmes that address long term issues, such as electoral or ethnic/political violence and policy and legislative reform. They are also unable to develop long-term programmes with a single target community even though past experiences indicate that civic education is most effective when a community or group is exposed to it, repeatedly over a longer period of time. In Kenya, a significant proportion of funding for civic education comes from a group of Western embassies in Nairobi. The Embassies receive their funding from their governments based on short-term country strategy positions, which in turn limits their ability to provide longer-term support. Government bureaucracy may also delay disbursements from the home country.

¹⁴⁷ Dart Thalman et. al., *Kenya Civic Education Study for Kenya*, 1997, p 52.

¹⁴⁸ See for example Dart Thalman, *ibid.*, 35. Elsewhere, in its Kitui paralegal programme, the International Commission of Jurists trained 30 paralegals. The project was envisaged to cover the whole of Kitui District. A similar number were trained to cover Meru Central District. See International Commission of Jurists, *Evaluation of the ICJ (K) Paralegal Project in Meru and Kitui Districts, 2000*, p 15. In the Constitutional Review Project, the Kenya Human Rights Commission trained a total of 165 participants in a project described as covering the three expansive districts of Isiolo, Marsabit, and Moyale. See Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2000, p 10.

¹⁴⁹ Press reports frequently suggest that the funding is worth approximately 2 Billion Kenya Shillings. See for example *The East African Standard*, July 30 2001.

¹⁵⁰ D. Throup and C. Hornsby, *Multi-party politics in Kenya*, p. 27-279.

Another challenge related to donor funding is that most donors, particularly the bilateral ones, are very sensitive to the politics of the day, as a result of which they may sometimes decline to support groups they perceive as overly anti-establishment or radical, even when their programmes are sound. The Citizens Coalition for Constitutional Change (4Cs) and the National Convention Executive Council (NCEC), two groups that pioneered the advocacy that forced the government to concede to a comprehensive review of the constitution of Kenya, reportedly suffered this fate from 1998. After their efforts had led to the government conceding first, to limited reforms in 1997 and subsequently to a total overhaul of the constitution, western donors were said to have been reluctant to provide funding for further work by these two organisations. This is because they were reportedly perceived to be too radical in their demands that focused on the nature of the process that should be adopted by Kenyans in the review of the constitution.

Coping Strategy

Studies of civic education programmes in other countries supports the proposition that long-term funding support to civic education organisations is key to the ability of these organisations to design and implement effective and results oriented civic education programmes.¹⁵¹

The long-term solution is the incorporation of civic education into the primary and secondary school curriculum, so that all those who go through the school system can acquire basic civic skills.¹⁵² Because of declining school enrolment rates and rising school dropouts, school based civic education will still leave out many people; they would then be the focus of the non-formal civic education programmes.

Promoting long term non-project based civic education is important. The work of the Justice and Peace Commission, a permanent institution of the Catholic Church in Kenya, represents an example of a long-term non-project based civic education initiative. Because the Commission is woven into the pastoral structures and programmes of the Church, and is reproduced at the local level, justice and peace workers are able to carry out their work, much of which is on civic issues, on a continuing basis. The annual Lenten campaign of the Catholic Church is a case in point. This campaign allows all the diocese of the Church and their congregations to reflect on a single issue with social, economic or political ramifications. In 1997, the Lenten Campaign focused on homeless people living in urban streets.

6.2.3 External Impediments Emanating from Other Factors

a. Certain parts of the country are not accessible to civic education providers

In Kenya, the communications infrastructure is concentrated in major urban areas and high agricultural potential regions of Central Kenya, Western, Nyanza, Central Rift Valley, and lower Eastern. The Northern region comprising of the districts of Marsabit, Moyale, Garissa, Wajir, Ijara, and Mandera, the Coastal districts of Lamu, Kwale, and Tana-river, the North Rift-valley districts of Pokot, Turkana, and Samburu, and the upper eastern districts of Kitui and Mwingi lack roads and telecommunication facilities. To illustrate, there is not an inch of tarmac road in Marsabit and Moyale districts. The journey from Isiolo to Moyale towns, a distance of just about 500 kilometres, takes up to three days on poor roads. When it rains, that region is completely cut-off from the rest of the country. Poor communication infrastructure makes it comparatively more difficult to reach these regions. On a cost-benefit analysis, civic education providers may choose to avoid such areas.

¹⁵¹ See Ford Foundation, *Many Roads to Justice*, 2000, p. 221-222.

¹⁵² The Forum for Human Rights and Education (FLEHURE) and *Daraja* are two advocacy initiatives working to entrench human rights and civic education into the school curriculum.

Partly because of the poor communication infrastructure, and other factors such as proximity to unstable neighbouring countries like Sudan and Somalia, these regions are prone to mass insecurity more than other regions. There is high proliferation of illegal guns. Cattle rustling and other forms of banditry are common and frequently accompanied by massive loss of life. The insecurity is pervasive and is not directed only at civic education providers. The insecurity deters civic education; even when civic education activities happen, they are episodic.

Another form of inaccessibility arises due to language barriers. Where English or Kiswahili are not widely spoken—and this is the position in most of the areas described above—civic education providers from outside the particular community have serious hurdles to overcome if they are to provide civic education.

The nature of inaccessibility discussed here is only an issue when organisations and individuals that are external to those areas seek to conduct civic education. Local organisations and local civic educators are less likely to experience the constraints of transport and insecurity, and language barriers. In these areas, an emerging trend is that local communities are responding to their isolation and marginalisation by forming their own local NGOs. These local NGOs have been able to develop programmes, which are relevant for their communities and to successfully seek funding from external donors. The local NGOs are also seeking alliances with national and international NGOs in common project activities.

Coping Strategy

Civic education providers are reaching communities in areas cut off by lack of transport or insecurity by training trainers who in turn train local facilitators resident in the local communities. National level Civil Society Organisations are working through local organisations to deliver relevant civic education.¹⁵³

b. The challenge of poverty

The relationship between civic education and the economic climate is analysed in more detail elsewhere in this report.¹⁵⁴ Access to basic services is very poor for the majority of Kenyans. In a recent survey, 40% of respondents indicated they have no access to clean water, 32% spend more than one hour to get to the nearest health facility, and only 11% have access to electricity.¹⁵⁵ This scenario has two implications for civic education. First, a majority of the citizenry are so caught up in the struggle for daily survival it can be difficult for them to access civic education activities. Secondly, in the midst of the struggles for daily survival, civic education can seem abstract.¹⁵⁶

Coping Strategy

First, some civic education providers seek to take civic education activities to where the people are, e.g. places of worship, markets, etc which reduces the cost (monetary and non-monetary) of

¹⁵³ The Kenya Human Rights Commission implemented a civic education project in the Districts of Isiolo, Marsabit, and Moyale by training local people who were in turn expected to train others. See Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, p 10. The National Civic Education Programme directly targets rural groups to deliver civic education. Out of the ****groups supported by the Programme, *** are community groups in rural and urban areas.

¹⁵⁴ Chapter 2 of this report

¹⁵⁵ See Strategy and Tactics, *State of the Nation Survey*, 2001.

¹⁵⁶ The abstractness of civic education may result from use of inappropriate approaches and methodologies as well.

participation and involvement. Theatre particularly lends itself to this strategy.¹⁵⁷ Second, civic education providers seek to link their work with the people's daily struggles by demonstrating that today's manifest problems can only be solved tomorrow if there is a democratic, citizen sensitive, governance environment. Third, civic education approaches may be designed around the people's present needs; there is a lot of civic education to be done around famine relief and food security, and lack of access to water and the government's obligations to its citizens.¹⁵⁸

6.3.4 Internal Impediments

a. Civic education providers are organisationally weak

Civil society organisations working in the civic education and human rights sector are a phenomenon of the 1990s. There are a number of organisations providing civic education today that predate the 1990s but at the time their mandate was narrow and they did little civic education.¹⁵⁹

From the 1990s onward, and more so after the reintroduction of multiparty democracy in 1991, civic education providers increased significantly. The reasons for this growth are analysed elsewhere in this report.¹⁶⁰ Many of today's civic education providers are thus less than ten years old—both the Kenya Human Rights Commission and the Release Political Prisoners group are celebrating their first ten years in 2001/2002. In contrast, in the service delivery sector, one comes across local and international organisations that have been around for two decades or more -- ActionAid, Plan International, Undugu Society, Child Welfare Society, and Care Kenya are examples.

The relative infancy of civic education providers relative to other civil society groups means that the civic education providers tend to be programmatically and institutionally weaker. Strong civil society organisations have a clear vision, goals, values, strategies, and plans. They also have a suitable and legitimate governance instrument (constitution, trust deed, articles of association, etc), a competent and committed policy making body (trustees, directors, etc), suitably qualified personnel, functional and efficient lines of authority (organogram), practices of internal democracy, operational administrative, personnel, and financial guidelines, and strategic planning and review opportunities.

¹⁵⁷ A variety of organisations including the Legal Resources Foundation, Release Political Prisoners, Citizens Coalition for Constitutional Change, and Constitution Reform Education Consortium (CRE-CO) have experimented with community theatre in recent years.

¹⁵⁸ The use of a rights based approach to development, which among other things postulates that basic needs are fundamentally human rights questions, is useful in situating human rights and civic education issues in the realities of the lives of civic education recipients. In Kenya, the Basic Rights Campaign, which is run by the Basic Rights Steering Committee composed of human rights and development organisations, is advocating for the constitutional protection of basic rights such as food, water, and shelter into the National Constitution alongside the traditional civil and political rights. See generally Basic Rights Steering Committee, *A Basic Rights Charter*, 1998 and Basic Rights Steering Committee, *The Core Challenge for Constitutional Reform in Kenya*, 1999.

¹⁵⁹ The International Commission of Jurists (Kenya Section), a voluntary association of lawyers modelled along the Geneva based International Commission of Jurists, is the oldest, having been established in 1956. At that time, and even in the decades of the 1960's and 1970's, the legal system was largely White and Asian-controlled, and the Commission was seen more as an exclusive talk shop for lawyers. Kituo Cha Sheria was established in the 1973 to provide legal aid to the indigent but for many years, it operated on a small scale due to limited interest by lawyers to provide pro-bono support to its clients. The Public Law Institute established in 1984, as a collaborative effort of the Law Society of Kenya and the National Council of Christian Churches, presages today's civic education providers. Its original mandate, which expanded over the years, was to conduct public interest litigation.

¹⁶⁰ Reference this point.

Some civic education organisations are structurally weak, more so the recent ones. They lack functional governance instruments and adequate accountability mechanisms.¹⁶¹ When the institution is weak, its leadership can feel intimidated by civic education. In the *Kenya Civil Society Programme: Review of Access to Justice Projects*, the report authors argue that "organisational democracy not only builds a greater appreciation for the principles of democracy generally but also promotes organisational transparency and accountability".

The infancy of the civic education sector has also meant that its capacity to implement programmes successfully is not fully developed. In some civic education organisations, personnel running civic education programmes lack specific training on how to conduct and implement civic education programmes.¹⁶² Too often, it is assumed that almost anyone with college education can conduct civic education. The distinction is not made that whereas one can have knowledge on civic education issues, the ability to transmit that knowledge successfully to another person, which is all about facilitation skills, may be entirely lacking. Lack of skills may account for the lack of effective impact assessment indicators and tools, absence of an evaluation strategy for materials developed, and poor documentation; these shortcomings are reviewed elsewhere in this report.

A distinction can be drawn between the institutionalised organisations and loose informal groups and networks. The former, examples of which are the Kenya Human Rights Commission and the Federation of Women Lawyers (Kenya Section), have, a clear vision, goals, strategies, and plans while the latter will not. Similarly, the former are more likely to use contemporary planning tools like logical frameworks than the latter.

The membership of the Constitutional and Reform Education Consortium (CRE-CO), one of the four consortia involved in the national civic education programme, is illustrative. CRE-CO has 22 members involved in civic education. Of the formalised and institutionalised groups, one can include the Centre for Law and Research International (Clarion), Education Centre for Women in Democracy (ECWD), and Kenya Human Rights Commission (KHRC). Of the informal and unstructured groups, one can include the Endorois Welfare Management Committee, Ilishe Trust, The Labour Caucus, *Muungano wa Wanavijiji*, and *Shirika La Elimu na Maendeleo* (Sema).

The explanation commonly offered by civic education providers for the issues highlighted here is of course that the sector is still relatively young and should not be judged too harshly yet in terms of programmatic and institutional growth. It is said that in its piloting stage, the sector focussed its energies on developing pioneering and innovative approaches, programmes, and activities and not organisational formation. However, twelve years down the line, one expects that the piloting phase has had its day and now is the time to not only implement good programmes but also strengthen the organisations that run them. Increasingly civic education providers are agreeing that institutionalisation is good, though the pace of effecting this realisation may be slow.

It is not being argued here that only institutionalised and formalised organisations should carry out civic education. However, those that are not are less likely to achieve sustainable results.

¹⁶¹ In the USAID study, 90% of civic education providers reported that NGOs being run democratically is a very important organisational value. Only one organisation was categorical that NGOs need not be democratic (p. 43).

¹⁶² This is the initial experience of the National Civic Education Programme, which runs training workshops for all project officers of collaborating partners running civic education activities with the support of the programme. The conclusion is based on an interview with Dr. Karuti Kanyinga of the National Civic Education Programme.

Coping Strategy

Until the leadership of weak organisations recognises and accepts to deal with the structural weaknesses, nothing much can change. Engaging consultants in organisational development can help, but only when there is institutional support for change. Emerging trends suggest that this is beginning to happen as more organisations take on board change processes.¹⁶³

b. There is poor monitoring, supervision, documentation, evaluation of programmes

The lack of effective monitoring and evaluation systems is primarily caused by the infancy of the civic education sector. In this sector, the demand for concrete results is a recent one. Previously, it was enough to demonstrate that planned outputs had taken place successfully. To illustrate, if an organisation was funded to run a series of civic education workshops, it would have been enough to show that the workshops took place, and were well attended. The increasing demand for results, also called outcomes, means that civic education programmes have to be designed and implemented in such a way that results can be demonstrated. To be able to demonstrate results, programme goals, strategies, and planned results, have to be clear, and indicators for assessing them in place.

It is now widely agreed that in Kenya, civic education work is beset with poor monitoring, supervision, documentation, and evaluation, which means assessment of impact is difficult.¹⁶⁴ Documentation is the key link; effective documentation facilitates monitoring, supervision, and evaluation. Two reasons may explain this state of affairs. First, civic educators may lack the skills and thus the tools required to effectively monitor, document, and evaluate a project. There is more likely to be so with the newer civic education organisations. Secondly, civic educators may lack the interest and motivation to do these, above all when there is no immediate supervisory or reward mechanism. This is particularly the case when civic educators are essentially volunteers as they often are at the grassroots level.

A related problem is that even when a civic education initiative is monitored and documented, there is frequently no effort to analyse the data gathered. Evaluation and impact assessment are additionally militated against by the absence of accurate and comprehensive pre-project data. Nor is it always clear what impact is desired for at the beginning and thus what changes to look for at the end of the intervention.

¹⁶³ Kituo Cha Sheria, Legal Resources Foundation, Kenya Human Rights Commission, and International Commission are examples of civic education providers that have been restructured in the 1998-2001 period.

¹⁶⁴ Other studies have come to the same conclusion. See for example South Consulting, *Kenya Civil Society Programme: Review of Access to Justice Projects*, 2001 (a report commissioned by the Department for International Development in East Africa (DFID-EA) at page 34. See also Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, and International Commission of Jurists, *Evaluation of the ICJ (K) Paralegal Project in Meru and Kitui Districts*, 2000. In the latter report, the authors note that 'in spite of the informal design of (civic education) programmes, NGO partners makes formal demands on the paralegals the most evident of which is the requirement that they document their work. Documentation is a characteristic of formal, not informal, programmes'. Ford Foundation, *Many Roads to Justice*, 2000, Stephen Golub write that in Kenya and elsewhere an important element that is missing from NGOs non-formal legal education (a form of civic education) is testing and evaluation of its effectiveness.

Coping Strategy

A review of recent project documents shows that monitoring and evaluation is becoming a key part of project implementation.¹⁶⁵ However, the challenge is bigger than developing monitoring and evaluation strategies, they must actually be used to demonstrate desired results.

Where capacity allows, employing a person who is primarily responsible for the related functions of monitoring, documentation, and evaluation can make a difference. This strategy, pioneered by development NGOs, has yet to take root in civic education/human rights organisations. Good results may be achieved by requiring all programme personnel to undertake training in the areas of monitoring, documentation, and evaluation.¹⁶⁶ Volunteer civic education providers can be motivated through nominal financial support tied to submission of required reports.

c. Civic education resources are not easily within reach

Elsewhere in this report, the wide range of civic education materials developed in recent years – more than [175]– is reviewed in more detail.¹⁶⁷ Materials available fall into three main categories. *Research reports* are developed after an in-depth study of a particular issue. *Training manuals* are for use by a trainer to pass on knowledge, information, skills, and attitudes to the 'learner'. *Booklets* convey particular information to the targeted reader usually without the need for a trainer. Other materials include audio and visual cassettes, posters, and stickers.

Unfortunately, these materials are not easily within reach to those who may need them. It can be very difficult, for example, for a community leader in the countryside who wants to facilitate a discussion on good and bad leadership, to access materials he or she could use. Put differently, there is no central depository for civic education materials. There are other reasons why civic education providers do not share their materials. First, materials are produced in low quantities due to budgetary constraints, which means that most of it is consumed by the organisation itself. Secondly, civic education providers hoard their materials either because they are not confident about its quality and thus do not want to subject it to scrutiny of others, or because they fear the material may be 'poached', denying them the claim to it.

A related problem is one of duplication because it is not easy to tell what resources are already available. Organisations can keep churning out materials substantially similar to what already exists instead of re-printing (most civic education materials are deliberately not copyrighted). This can be seen as a waste, or inappropriate use, of resources.

Coping Strategy

A number of civic education providers are beginning to develop small resource centres where a wide range of materials is stocked. The League of Kenya Women Voters is an example. According to the League, the resource centre contains materials on governance, gender, and human rights. One organisation could take up responsibility for establishing a *civic education depository centre*. Each organisation that develops civic education materials would be required to deposit copies with the Centre. Such a centre would become a key starting point in establishing available civic education materials. Any of the existing civic education networks, or consortia, could also play this role. The National Council of NGOs, were it willing and able to take the responsibility, would be

¹⁶⁵ The Kenya Human Rights Commission, FIDA Kenya, the Catholic Justice and Peace Commission, the Legal Resources Foundation, and the International Commission of Jurists Kenya Section, have between 1999 and 2001 completed mid term or end of project external evaluation of one or all of their programmes.

¹⁶⁶ In an interview with the Legal Resources Foundation, it was reported that this strategy could also pay dividends. In early 2001, all the organisation's staff members completed a two-week course on monitoring and evaluation.

¹⁶⁷ See annexe ***. This is not an exhaustive listing.

uniquely placed to host such a depository. Further discussions would have to be held on this subject.

d. Inadequate access to information technology

The potential for using the Internet as a medium for civic education is still unexplored in Kenya. There are practical problems to the use of the Internet. The majority of Kenyans – more so those that civic education providers target- have no access to computers. The reasons for this are many and include an undeveloped communication infrastructure in urban but more so in rural areas, high cost of computers, and high Internet connection costs.

Civic education providers with websites are few; they include the Kenya Human Rights Commission (www.khrc.or.ke), FIDA (www.fida.or.ke), and Legal Resources Foundation (www.lrf.or.ke). The Constitution of Kenya Review Commission also has a website (www.kenyaconstitution.org). The National Civic Education Programme has not developed a website. A review of these websites shows that they are primarily used to convey organisational information. In contrast, leading international civic action and human rights groups have websites that contain resources relating to their work, e.g. research reports and campaign materials. Examples are Amnesty International (www.amnesty.org), Human Rights Watch (www.hrw.org), and International Commission of Jurists (www.icj.org).

Locally, the use of the e-mail among civic education providers is widespread. In recent years, the e-mail has been used successfully as a campaign tool. When Release Political Prisoners pressure group members were arrested in October 2001, they extensively used e-mail to mobilise support. Environmental action groups in Kenya have turned to e-mail to petition the government not to de-gazette key forest areas.

Coping Strategy

One practical solution civic education providers may want to explore is to establish a joint website operated and funded collaboratively.

6.3 Conclusion

The impediments today's civic education providers face are much less than what obtained in the 1980s and early 1990s. Moreover, civic education providers have learnt how cope with many of the impediments.

6.4 Recommendations Concerning Impediments To Civic Education

Networking and targeted advocacy

Civic education organisations should work closely together to address some of the impediments they face, particularly those that are external. For example, in the face of threats or harassment, civic education providers may need to voice a common protest. In 2000, several organisations issued a statement/letter to President Moi protesting against frequent harassment.¹⁶⁸ Civic education organisations could also participate in targeted advocacy that seeks to influence the external environment, by for example engaging with the State or funding agencies on particular issues.

¹⁶⁸ For the full statement see the Kenya Human Rights Commission, *Quarterly Human Rights Reports*, Vol. 2 No. 2, 2000.

Existing initiatives could be strengthened to achieve the above. The *Kenya Human Rights Network* (K-HURINET) brings together more than 15 organisations in the human rights sector; many of them are also involved in civic education. Unfortunately, K-HURINET's structures and leadership is still weak, resulting in a low response time and many other civic education providers are not members of this network. In 2000, several organisation came together under the banner of the *Committee for the Defence of Civic Education* following the disruption of a civic education activity by the Centre for Governance and Development but the initiative withered when charges against the actors involved were dropped by the State. *Daraja*, an initiative formed in 1996-7 by civic education organisations has a bigger membership than K-HURINET but shares the other weaknesses of K-HURINET.

Civitas' Kenya, established in 1995, sought to bring together and network civic education organisations in the country. Civitas is a world-wide movement that promotes issues on civic education. One of Civitas Kenya's initial efforts was to develop a curriculum with the aim of influencing the content of civic education in the school curriculum. Civitas documentation shows that such a curriculum was developed. Civitas key strength was that it brought together not only civil society organisations but also the Ministry of Education, the Kenya Institute of Education, and the Kenya National Union of Teachers. Over the years, Civitas has become inactive.

Civic education providers should be non-partisan

Civic education providers should adopt a non-partisan approach in their work in order to minimise their activities being perceived as anti-government and anti-establishment, thereby attracting negative reaction by state and non-state actors. Non-partisanship is one of the key principles of the National Civic Education Programme. Civic education is partisan if it advocates a particular point of view. For example, when the civic education provider highlights the characteristics of good governance, he or she is non-partisan. However, if the discussion moves to applying these characteristics on a particular country in order to conclude whether it has good governance, then the civic education being imparted is partisan.

Donors should provide longer term financial support to civic education providers

Donors should provide longer term financial support to civic education providers in order to enable the providers develop strong process-oriented as opposed to activity- oriented programmatic interventions. The former approach has more impact than the latter.

Need for strategic planning

It is recommended that civic education providers - small and big, formal and informal, institutionalised and un-institutionalised- deliberately and consistently assess the environment in which they operate in to identify how best to minimise the impediments that they face. Two tools are useful for this. First, strategic planning processes give an organisation an opportunity to review the internal and external environment in which they operate and concretise strategies and anticipated results.¹⁶⁹ Second, periodic reviews enable the organisation to continually reflect on how day-to-day changes in the internal and external environment affect achievement of planned outcomes and outputs.

¹⁶⁹ FIDA Kenya is a good example. In 2001, FIDA developed and shared with its partners its strategic plan for the period 2001-2005. The strategic plan analyses the organisation's strategic priorities, the external environment, distinctive advantages, challenges, internal environment, strategic fit, critical assumptions and risks, and expected results at output and outcome levels. There are detailed logical framework matrixes for each of FIDA's five programme areas.

Some donors require those organisations they support to undertake strategic planning and external evaluation of programmes. They are prepared to extend support in these areas. This is an important nudge that promotes organisational growth.

Civic education providers should strengthen organisational structures

Civic education providers should strengthen their organisational structures because strong organisations are more efficient in civic education provision. In 2001, Ford Foundation gave a grant to Peat Marwick, an audit and management consultancy firm, to assess a sample of their grantees in the East Africa region and identify areas and issues, both programmatic and institutional, that they need to work on. Ford Foundation may provide support to their grantees to address areas of weakness identified by the consultants. From 2001, the Embassy of Sweden has contracted PricewaterhouseCoopers to carry out a pre-disbursement assessment of their grantees. The assessment involves an appraisal of institutional and programmatic strengths and weaknesses. Issues that need to be addressed are pointed out in the assessment reports.¹⁷⁰

Civic education providers should establish a central depository for civic education materials

To enhance productive sharing of resources, civic education providers should consider establishing, individually or collaboratively, an easily accessible central depository for civic education materials. One of the existing networks on civic education discussed above or one of the four consortia under the National Civic Education Programme can take this role. A cyber-based resource centre should be explored.

Evolving dynamism

Because of the dynamism of civil society organisations involved in civic education, they have been able to design coping mechanisms that have effectively seen them operate in spite of the barriers they face. There is nothing to suggest that this dynamism will not continue in the coming days.

A micro-level study should be conducted to investigate in detail the coping strategies addressed here and to assess the cross-organisational relevance of these strategies.

¹⁷⁰ The Legal Resources Foundation underwent the pre-disbursement assessment in 2001.

CHAPTER SEVEN

7.0 APPROACHES AND METHODOLOGIES FOR DELIVERING CIVIC EDUCATION IN KENYA

7.1 Overview

This section explores the different approaches and methodologies that are used in civic education by civic education providers. There are two questions to be answered here. The first concerns the past approaches and methodologies that were used by CSOs to deliver civic education. The second question relates to exploring whether some approaches and methodologies are more effective than others in the provision of civic education. Because the civic education discussed here is an aspect of adult education, the approaches, and methodologies that civic education providers' use are borrowed from the world of adult education.

The researchers have not come across previous studies documenting or assessing approaches and methodologies employed by civic education providers in Kenya. There are complications in assessing the effectiveness of a particular approach or methodology in the absence of baseline data on approaches and methodologies, which is often lacking. The findings discussed below are based on discussions with civic education providers and beneficiaries, review of existing literature, and observations of civic education activities.

An approach defines the broader context in which the learning process is situated. Below different approaches are analysed – the programmatic approach is contrasted with the episodic approach, the participatory approach is contrasted with a non-participatory approach, and the training of trainers approach is contrasted with the direct training approach. Different approaches are frequently combined together in one programme or activity.

A methodology is a specific tool that a trainer users to pass on information, skills, and attitudes to the 'learner'. Some of the newer methodologies discussed below are participatory theatre, mock trials, and caravans and processions.

7.2 Past Civic Education Approaches and Methodologies

Civic education approaches and methodologies reflect a great deal of experimentation

The current civic education approaches and methodologies were developed through trial and error and experimentation by civil society organisations in the past, particularly since the mid-1980s. Some of the methods were pioneered internally while others have come from outside. The civil rights movement of the United State of America and the approaches and methodologies used by the anti-apartheid movement in South Africa have been particular sources of inspiration for the civic education providers in Kenya. It has been common to hear terms such as "peaceful civil disobedience" used to describe some of the strategies and approaches used to demand change from the government. Local sources of inspiration, have come from experiences from early civic education providers such as The Public Law Institute, women's organisations such as National Council of Women of Kenya, and Oxfam (UK). Some of these will be identified below.

Civil disobedience approaches and strategies tend to be used by civil society organisations in national level campaigns aimed at fundamental changes. In the past such approaches have been used to mobilise large sections of society for mass action. Civil disobedience strategies were used to agitate for a multi-party state in 1991 and for changes in the constitution in 1996 and 1997. They included mass rallies, worker strikes, disruption of transport and religious based activities such as all night prayer sessions.

Local approaches and methodologies were pioneered by organisations such as the Public Law Institute. A key feature of some of these early initiatives is the fact that there was an interface between civic education providers and programmes and the Development Education Programme (DEP).¹⁷¹ Civic education providers were able to take advantage of the work that DEP had already done in educating and mobilising communities. This link is not much in evidence in today's civic education initiatives, but a more in-depth study would need to be done to ascertain any links that may exist between DEP and current civic education initiatives.

Joint initiatives between DEP and civic education included legal education initiatives among the Masaai nomadic pastoralist group in Liotokitok Division, Kajiado District in 1987. The training occurred among members of the Rombo Group Ranch. The Group Ranch Educational Programme (GREP) a local NGO facilitated the training. The training was delivered mainly as lectures which was the favoured method among NGOs during this time. These lectures tended to be well received by the target communities because, these communities were very often hearing about modern law and their rights and obligations for the first time.

In 1989/90, Oxfam initiated a project aimed at developing legal educational manuals for women. In this case the DEP connection was evident from the participation of GRAIL representatives who were founders of DEP together with the Catholic Church. The manuals were developed in a participatory manner in close collaboration with selected women groups that were partners with Oxfam. The project embarked on a process that combined legal education and information gathering among women in communities in Kisumu, Eldoret, Kitui and Kangemi. The manuals included a manual for trainers, which emphasised a variety of methods, which had been tested on the partners. These included, lectures, role-play, use of local case studies from the trainees and from newspapers as a means of generating discussion. There was a great deal of emphasises on improvisation on the part of the trainers.¹⁷²

In 1987, the Public Law Institute launched a Women's Rights Awareness Project (WRAP). One of the objectives of WRAP was to raise awareness among women about their legal rights. "...It is a presumption of most legal systems that the citizen is aware of her rights and obligations under the law. This assumption is rarely true of any country. It is totally unattainable in a historical context in which the legal system is alien-imposed from a different socio-cultural political context..."¹⁷³

The campaign focused on violence against women and combined a poster campaign in Nairobi. Posters with the message "Violence Against Women is Against the Law" were attached to buses of the Kenya Bus Service (KBS) and were distributed throughout the city in this way. The posters were both in English and Kiswahili. A media campaign using both the electronic and print media was also launched to further highlight the plight of women victims of violence. An evaluation of the poster campaign revealed mixed success. Although the posters were on the whole well received, the issue of poor visual literacy meant that many members of the public were unable to interpret the

¹⁷¹ See paragraphs *** to *** for a discussion of the Development Education Programme.

¹⁷² Betty Wamalwa, *Report on the Women and Law Development Field Visits*, 1990.

¹⁷³ Mary Adhiambo Mbeo, Oki Ooko-Ombaka Eds., *Women and the Law in Kenya*, 1989 p xvi.

picture on the posters. While the use of classic Kiswahili words in the posters, which were not in common usage, limited the poster's ability to communicate its message to the public.

An Institute for Education in Democracy meeting for civic education providers, held in 1994, provides further information on the approaches and methods that have been used to deliver civic education in the past. In a section aimed at drawing lessons for example, the report notes that 'there is a need for specialisation among organisations' and finds that the 'Release Political Prisoners was effective because it isolated a key issue and mobilised around it...' ¹⁷⁴.

The report also focuses on voter education approaches, methodologies, and materials that were developed and used during elections in the past including the multi-party election of 1992. In discussing these issues, the facilitator of the session notes that the approaches that predominated for delivering voter education were in the form of published materials, which were distributed among constituencies. The fact that the election date was only released a few weeks to the election, meant that approaches employed were limited to those that could reach the largest number of people at in the shortest time frame. In most cases printed visual materials were seen as the best option. The list of types of printed material employed in the voter education campaigns included published booklets, pamphlets, brochures; periodic voter education magazines; pictorial illustrations and instructional Visual Aids; and newspaper articles, and advertisers' announcements. ¹⁷⁵

7.3 Effective Approaches and Methodologies in Civic Education

7.3.1 Effective Approaches

The programmatic approach vis-à-vis the episodic approach

Programmatic approach

Civic education may be implemented in a programmatic or episodic approach. In the programmatic approach, civic education is delivered in a structured process, which involves conceptualisation, target identification, needs assessment, curriculum and materials design, training, documentation, monitoring and evaluation, and impact assessment. The whole process is multilevel, pre-planned, and goal oriented. The civic education provider seeks to achieve a measurable impact in a defined area of operation, e.g. district, division, village, etc. The programme may target more than one cluster of people and use a variety of methodologies. Some paralegal, human rights monitoring, community mobilisation, and advocacy programmes are examples of the programmatic approach to civic education. ¹⁷⁶

A proposition that a civic education organisation is utilising a programmatic approach may only be affirmed upon a micro-level study of its work. The programmatic approach requires long-term involvement because the approach sees civic education as a process that takes time to take root.

¹⁷⁴ Institute for Education in Democracy, *Towards a Common Curriculum for Civic Education Workshop Report* p 11.

¹⁷⁵ Institute of Education in Democracy, *ibid.* appendix five p 2.

¹⁷⁶ Several organisations in Kenya run paralegal training programmes; they include Kituo Cha Sheria, Legal Resources Foundation, People Against Torture, International Commission of Jurists, several dioceses of the Catholic Church, Education Centre for Women and Democracy, and the League of Kenya Women Voters. For a detailed review of some of their programmes, see South Consulting, *Kenya Civil Society Programme: Review of Access to Justice Projects*, 2001, a report commissioned by the Department for International Development in Eastern Africa.

This itself requires long-term planning and commitment by civic education providers and donor agencies.

Episodic Approach

The episodic approach may share some of the characteristics of the programmatic approach in civic education in Kenya today but the distinguishing feature is that civic education is delivered through a one-off activity, e.g. a workshop, video show, or a theatre performance and there is no structured follow up.¹⁷⁷

Participatory approach vis-à-vis non-participatory approach

Participatory approach

Civic education providers in Kenya have not delineated what a 'participatory approach' is. Part of the difficulty is that participation is a process that takes time and is defined by local circumstances. However, one can characterise the approach. A *participatory* approach is one in which the agenda, and the process, of civic education is developed and implemented in consultation with and involvement of the target/beneficiaries. In the USAID study, the authors reach a similar conclusion when they write that a participatory approach is one in which 'the beneficiaries are involved in some aspect of the planning and/or delivery of the programmes'.¹⁷⁸ The more participatory an approach is, the more the consultation and involvement of the beneficiaries.

The following manifestations contribute towards a conclusion that an approach is or is not participatory: carrying out participatory research to ascertain the pressing needs of the target/beneficiaries, designing a programme strategy and interventions that respond to the pressing needs identified by the target/beneficiaries, in a training of trainers' approach involving the target/beneficiaries in selection of those to be trained, and use of participatory learning methodologies. Others are involving the target/beneficiaries in the design and implementation of monitoring and evaluation strategy and tools and continuing reflection on the achievements and challenges of the programme.

The USAID study recommends that participatory methods be encouraged and supported; it further recommends a micro-level analysis to assess the variety of participatory methods that exist in Kenya and attempt to identify the ingredients and types which contribute most to effectiveness in civic education.¹⁷⁹

Civic education providers and civic education beneficiaries express a preference for participatory civic education. Participatory approaches are non-passive. In the USAID Kenya study alluded to

¹⁷⁷ Mr Anthony Njui of the Justice and Peace Commission of the Kenya Episcopal Conference in Kenya characterises the episodic approach as the 'kamikaze' or 'terrorist' approach, a phraseology that reveals the dramatics and short-termism of the episodic approach. Contribution by Anthony Njui during a brainstorming meeting on civic education held at Landmark Hotel Nairobi on 27th September 2001. See also Dart Thalman, Heather Sutherland, et.al., *Civic Education Study for Kenya*, 1997, (a study commissioned by USAID Kenya), at p 15 where the authors of the report characterise the approach as 'hit-and-run'.

¹⁷⁸ Dart Thalman et.al. *ibid.*

¹⁷⁹ Dart Thalman et.al. *ibid.*

above, all the civic education organisations surveyed claimed to use 'participatory methodologies'.¹⁸⁰

Non-participatory approach

In a non-participatory learning approach (also called the formal, or passive, approach), the starting point is the superior knowledge of the teacher. 'Students' are supposed to be ignorant; their role is to sit quietly as they take the teachers notes. The best student is the one able to 'bank' the teacher's ideas and reproduce them, sometimes word for word, when called upon to do so.¹⁸¹

Training-of-Trainers (TOT) approach vis-à-vis direct training approach

Training of trainers approach

Training of trainers is an approach in which the civic education provider trains a small group of people on civic issues and those trained train others. The key advantage is the multiplier effect; one person is trained who in turn trains others.

There are three fundamentals in an effective training of trainers approach. First, adequate time and resources should be directed to selection of those to be trained. The criteria for selecting trainees, and the process of actually selecting them, should be developed in close consultation with the local community. Those to be trained may be required to demonstrate knowledge of a particular language, be of a certain age, be active members of a local community group, demonstrate a record of voluntary community work, command respect and possess credibility in the community, and possess specified attributes. Gender and ethnic quotas may be established. Second, the training provided should be relevant, comprehensive, and effectively delivered given the expected roles of those trained. Use of baseline surveys, training needs assessment, and careful selection of facilitators are important. Third, there should be effective post-training support provided.¹⁸² Post training support may involve refresher-training, provision of basic materials such as writing materials, and provision of transport allowances or transport facilities like bicycles.

Direct training approach

In the direct training approach, the civic education provider targets and reaches the end user (beneficiary) of civic education. Thus, if the targets are rural women, the provider will use its in-house trainers to reach rural women. The key advantage of this approach is that the civic education provider has direct and immediate quality control over the process and content of civic education. However, the resources (financial and human) of the provider can easily become over-stretched.

Community based approach vis-à-vis non-community based approach

It is more effective (cost and time wise) to use a delivery approach that utilises existing community structures rather than developing a parallel structure. Religious organisations and community-based groups are the most common local structures on which other civic education providers ride-on.

¹⁸⁰ See Dart Thalman, *ibid.* See also minutes of a focus group discussion with the Kangemi Paralegal Network, group of community based civic education providers, held on 25th September 2001. The paralegals cited participatory methodologies as the best.

¹⁸¹ For a more detailed discussion of the banking concept, see Paulo Freire, *Pedagogy of the Oppressed*, 1996 from p 54.

¹⁸² Adapted from Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, at p 15.

There are several reasons, and advantages, for riding-on religious organisations. Religious organisations are known and respected among the local population, they have a readily accessible constituency, namely the membership, and they are relatively 'safe' from interference by the authorities.¹⁸³ However, while progressive mainstream religious groups may welcome and support civic education work, non-mainstreams ones may not.¹⁸⁴

7.3.2 Effective methodologies used in civic education

The numbers of effective methodologies civic education providers have used are many. The methodologies include lectures (participatory and non-participatory), role-plays, case studies, brainstorming, panel discussions, debates, and puppetry. There is an increasing body of literature documenting methods of teaching human rights, which is a sub sector of civic education. *Learning and Teaching Material Unit 1-4* is a collection of materials collated for the International Commission of Jurists (ICJ) for the Workshop on Paralegal Training in Africa held from 8-12th October 1991 in Banjul, The Gambia. From the Philippines, there is a comprehensive compendium titled *The Paralegal as a Popular Educator* (PTSC, 1995) published by the Paralegal Training Services Centre. A respected South African scholar, David McQuoid-Mason has also written a short paper titled *Teaching Human Rights*, presented during the African Human Rights Education Workshop held in Addis-Ababa between in 1995.

Not all methods are appropriate for all types of audiences. The civic education facilitator needs to be flexible and adapt their teaching methods appropriately where necessary. Importantly, teaching methods should be culturally relevant to the learner. Examples used should be drawn from the local environment; it can be alienating to use examples drawn from cash crop farming in a pastoral community.

Lectures are the most commonly used methodology. Previous studies have shown that only short well-delivered lectures have an impact. Civic education providers talk about 'participatory' lectures but it is unclear what this means. To some, it is about allowing members of the audience to ask questions. To others, it is about using visual aids during the lecture.

Participatory Theatre is increasingly emerging as the methodology of choice for civic education. In the last four years, the Centre for Governance and Development, Kenya Human Rights Commission¹⁸⁵, Legal Resources Foundation, and the Citizens Coalition for Constitutional Change report using theatre in civic education work. CRE-CO, one of the consortia implementing the National Civic Education Programme, is undertaking a nation-wide theatre programme. There is wide preference for participatory theatre as opposed to 'straight theatre'.¹⁸⁶ In participatory theatre, the artist-teacher engages in an educational dialogue with the audience (learners).

¹⁸³ This argument is developed in more detail in Dart Thalman, Heather Sutherland, et. al. al. al. al at p 15.

¹⁸⁴ For example, while mainstream Churches such as the Catholic Church, the Anglican Church, and the PCEA have consistently supported constitutional reform, non-mainstream ones have not. In one incident, non-mainstream churches sought to block the Constitution of Kenya Review Commission from its work ostensibly because they had been left out; they latter withdrew that case. See the *Daily Nation*, ***.

¹⁸⁵ In its annual report for 2000-2001, the Kenya Human Rights Commission reports that the Commission trained 8 community based theatre groups on human rights issues to enable them conduct human rights outreach activities in their respective communities. The Commission works with groups in Korogocho, Ugunja, Ndula, Makongeni, and Kangemi. To illustrate the impact of its theatre work, the Commission reports that following one of its performances in which a brutal Chief's action were re-enacted, the area District Officer ended up transferring the area Chief. See Kenya Human Rights Commission, *Annual Report (2000-2001)*.

¹⁸⁶ In 'straight theatre', artists rehearse their lines from a written script and during a performance, recall these lines. There is no dialogue between the artists and the audience.

Participatory theatre is most effective when the issues raised are relevant to the audience, the main message in the drama is clear, and the drama is delivered in a language that the target audience understands well (including mother tongue languages). In addition, the artist-teacher has to be reasonably knowledgeable about the issues in the drama. There has to be dialogue and discussion between the artist-teacher and the audience-participants, the message in the drama has to be reinforced with 'carry home' packages, such as a poster, booklet, cassette, etc and the drama has to be interesting to watch and participate in.

A **role-play** is an activity in which somebody pretends to be someone else e.g. a doctor or a police officer and to say and do as a doctor or police officer would. For example, when role-playing a police officer arresting a suspect, you would talk with the authority, sometimes with the arrogance, of a police officer. If you think that police officers unnecessarily beat up suspects, in the role-play you will behave like that. Role-playing is a good methodology for practising new skills that have been learnt or developing new behaviour. For example, after a session on democratic leadership skills, a role-play in which the learner role-plays a local chief conducting a village *baraza* will indicate the extent to which they have learnt the new skills.

In a **role-play**, there is no script to memorise or read from but the facilitator will indicate clearly which role you are expected to play (e.g. a courteous police officer, a violent criminal, a victim of domestic abuse, a dictatorial leader, etc). Props are not required and those that are necessary can be easily improvised. A role-play should have a topic (the theme of discussion), specific roles, materials required for the role-play, and instructions for presenting the role-play. For a role-play to be effective, the role-play topic and roles should be relevant to the discussion, roles assigned should be clear to the role-players, and there should be guide questions to assist in group discussion or to review the role play.

In **puppetry**, puppets (animal or human shaped contraptions) are manipulated by a puppeteer to communicate a particular message by speaking or acting in a particular way. The puppets *purport* to speak or act; in fact, it is the puppeteer who does so. Puppetry, the art of working with puppets, is a new and promising methodology in civic education but has a longer history in the HIV-AIDs Sector. Puppets are suited to small audiences.

'**Mock trials**' which are also known as moot courts is another of the 'newer' methodologies in civic and human rights education in Kenya. In a mock trial, one uses the adversarial forum of a court of law to debate contentious issues of the day. For example, to debate whether authorities can prohibit civic education activities, you can have a mock trial in which a civic education provider is charged with undertaking an illegal activity. In the process of determining the 'guilt' or 'innocence' of the accused, the laws in question, and the environment in which the laws operate will be explored in detail. Law school based organisations like the Law Forum and Lep-Sheria as well as the Legal Resources Foundation and Coalition on Violence Against Women (COVAW) report having used mock trials successfully.

Other 'non-traditional' methods are the use of **exhibitions** and public events such as **camel caravans** and **processions**. In October 2001, for example, the Centre for Governance and Development hosted a two-day exhibition during which civic education providers were able to exhibit their civic education materials to outsiders. There were several panel discussions on aspects of civic education as well as a theatre performance during the exhibition. Each year, COVAW stages public educational activities on gender issues under the banner '16 days of activism'. In 2000, the Kenya Human Rights Commission hosted a human rights photo exhibition on 10th December 2001, the

International Human Rights Day.¹⁸⁷ Northern Aid, a non-governmental organisation working in Northern Kenya is one of the groups using camel caravans to deliver civic education. The caravan consists of camels, a trainer, and support staff, who reach out to nomadic pastoral communities. This is an example of a culturally relevant methodology.

7.4 Conclusion

Civic education providers can use several complimentary approaches. The best approach is one that combines the best aspects of different approaches. Similarly, the diverse methodologies are not mutually exclusive but can be used to creatively complement each other.

7.5 Recommendations regarding approaches and methodologies in civic education

Promoting participatory programmatic approaches

A programmatic approach to civic education is the most effective and should be encouraged and supported. The programmatic approach is enhanced if it is also participatory.

A focussed study on the effectiveness of particular participatory civic education methodologies should be done

A micro-level study of particular participatory methodologies should be carried out in order to consolidate learning on their effectiveness and areas of improvement. The results of such a study – a compendium on effective methodologies – should be widely shared among civic education providers.

Training on participatory civic education methodologies

Civic education providers should encourage and promote conceptual and practical understanding of participatory civic education methodologies. Inter-sector methodology workshops can provide a useful opportunity for positive sharing of ideas. Local and regional internship programmes should be encouraged. Younger organisations can benefit by sending their trainers to intern with older local groups. Regional internship programmes to civic education organisations in developed and developing democracies should also be encouraged.

¹⁸⁷ See the Kenya Human Rights Commission, *Annual Report (2000-2001)* p 15.

CHAPTER EIGHT

8.0 REVIEW OF FORM AND CONTENT OF CIVIC EDUCATION MATERIALS IN KENYA

8.1 Overview

This section looks at the range of civic education materials that are available. Appendix 6 contains a matrix that records these materials in terms of title, description, year of publication, and publishing organisation. This list is not exhaustive.

The repeal of Section 2A of the Constitution in 1991, thereby allowing for the existence of more than one political party, and the subsequent multiparty elections in 1992, was a watershed period in civic education in Kenya. This was the first competitive election in Kenya since 1963. Organised civic education and electoral monitoring activities were implemented by CSOs, with donor funding. One of the immediate outputs of these activities was a wide range of civic education materials. The second multiparty party elections, held in 1997, also spurred the generation of additional materials. This survey documented up to [172] materials developed between 1992 to 2001.

Materials available fall into four main categories. *Research reports* are developed after an in-depth study of a particular issue. The Kenya Human Rights Commission and FIDA Kenya have continuing research programmes, and periodically publish research reports. Research and advocacy reports contain recommendations directed at policy makers, principally the government. The International Commission of Jurists report entitled, *The Political Economy of Ethnic Clashes in Kenya* explores the motivations for ethnic clashes in Kenya. *Training manuals* are for use by a trainer to pass on knowledge, information, skills, and attitudes to the 'learner'. Examples include the National Civic Education Programme's *Making Informed Choices*, a *Trainers Manual for Civic Education* and the Catholic Church's Justice and Peace Commission's *Civic Education Manual*. *Booklets* convey particular information to the targeted reader usually without the need for a trainer. Most of the materials reviewed fall under this category. Examples are People Against Torture's *Your Aid Against Torture* and the Citizens Coalition for Constitutional Change's *What the Constitution Means to You*. *Periodicals* are magazines on civic issues published from time to time, examples being *Mtetezi* by Release Political Prisoners and *Young Voice* by Legal Resources Foundation. In addition, there are *posters*, *stickers*, and *audio/visual tapes*.

The findings and recommendations below are based on a review of a sample of civic education materials and interviews with a sample of civic education providers and beneficiaries.

8.2 Findings on Civic Education Materials

Until recently, there has been no organised common curriculum for civic education

Over the years, civic education providers carried out their work without a common curriculum. In 2001 several civic education organisations organised into four consortia working within the National Civic Education Programme, have developed a detailed curriculum for civic education titled '*Making Informed Choices, A curriculum for civic education*'. These consortia are Civic Education for Marginalized Communities (CEDMAC), Constitution and Reform Education Consortium (CRE-CO),

Ecumenical Civic Education Programme (ECEP), and the Gender Consortium. The National Civic Education Programme is an initiative that promotes broad based civic education. Today, the NCEP curriculum is the most comprehensive curriculum on non-formal civic education in Kenya. Because civic education is dynamic, this curriculum will need to be revised from time to time. Efforts should be made to popularise the curriculum even after the present efforts at Constitutional reform are completed. In the long term, the NCEP curriculum needs to inform efforts at institutionalising civic education by incorporating it in the formal school curriculum.

Most of the civic education materials are single-issue

More than 75 per cent of existing civic education materials deal with single issues. The materials mainly cover one of the following issues/topics: gender,¹⁸⁸ constitution and constitution making,¹⁸⁹ voting and electoral practices,¹⁹⁰ law and human rights,¹⁹¹ and democracy and governance.¹⁹²

'*Making Informed Choices, A Handbook for civic education*' (2001) is the most comprehensive material on civic education. Published by the consortia that developed '*Making Informed Choices, A curriculum for civic education*', the handbook has detailed coverage of four issues that are at the core of civic education; these are, building the nation, respecting the will of the people, living by the constitution, and governing for development. The four corresponding topics are: nationhood and nation building; state, democracy and democratisation; constitutions, constitutionalism, and democratisation; and the practice of governance. The handbook is designed to convey information in a non-partisan way. The over-emphasis on non-partisanship makes the handbook appear academic and dry. Those who read and use the handbook will almost certainly interpret it in the light of their social, economic, and political worldview.

Most civic education materials are affordable

Most of the materials are available free of charge. Though a number of organisations are beginning to talk about cost recovery, most have not effected this for their materials. One practical difficulty

¹⁸⁸ For example, Centre for Governance and Development, *Affirmative Action, The Promise of a New Dawn*, 1998; Clarion, *An Introduction to Gender, Law and Society*, 2001; Collaborative Centre for Gender and Development, *Gender and Democracy, An Analysis of Kenya's Political Parties Manifestos*, 1996; Education Centre for Women in Democracy, *Bringing Beijing Home*, 1997; Kenya Human Rights Commission *Mainstreaming Gender*, 1999; Collaborative Centre for Gender and Development, *Making Gender Count in the National Budget*, 1999.

¹⁸⁹ For example, Centre for Governance and Development, *Bunge, You and the Constitution*, 1997; Centre for Governance and Development, *How IPPG Reforms Affect You*, 1999; Centre for Governance and Development, *Kenya's Constitutional Evolution -1895-2000*, 2001; Legal Resources Foundation, *Reforming Our Constitution*, 1999; Kenya Human Rights Commission, *Majimboism, Ethnic Cleansing, and Constitutionalism in Kenya*, 1994.

¹⁹⁰ For example, Centre for Governance and Development, *Bunge, You and Elections*, 1997; Citizens Coalition for Constitutional Change, *Elections and Democracy*, 1997; Institute of Education in Democracy, *Electoral Environment in Kenya*; League of Kenya Women Voters, *Women and Democracy, A Voters Handbook*, 1997; Kenya Human Rights Commission, *Killing the Vote*, 1998; Institute of Education in Democracy, *National Elections Data-Book 1963-1997*.

¹⁹¹ For example, FIDA, *The Women Guide to Law*, 2001; Kenya Human Rights Commission, *Women and Land Rights in Kenya*, 1998; People Against Torture, *Your Aid Against Torture*, 2001; Kituo Cha Sheria, *Are You A Protected Tenant*, 1996; Legal Resources Foundation, *Paralegal Training Manual Vol. 1 - 3*, 1996-2000; Lep-Sheria, *Principles of Criminal Liability in Kenya*, 1998; Release Political Prisoner's Pressure Group, *The Irrigation Act, an Instrument of Tyranny*, 2001.

¹⁹² For example, International Commission of Jurist, *Good Governance and Accountability in Kenya*; Centre for Governance and Development, *Economic Liberalisation and the People*, 2001; National Council of Women of Kenya, *Engendering Governance*, 1998; Institute of Economic Affairs, *Kenya at the Crossroads, Scenarios for Our Future*, 2001.

provider organisations have is that their targeted audience may not afford even nominal charges for the materials.

Most of the civic education materials are available only in English

More than 80 per cent of civic education materials - booklets, posters, and stickers - sampled are only available in the English Language. For that reason, a majority of the citizenry particularly in rural areas may not be able to fully use them. It is important that more materials be made available in the Kiswahili language and local languages in order to reach a wider readership. This is particularly important for Making Informed Choices, A Curriculum for Civic Education and Making Informed Choices, A Handbook for Civic Education.

Out of the sample, the Ecumenical Centre for Justice and Peace had the biggest number of Kiswahili titles (four). Some of the Kiswahili materials available include Kina Mama na Democrasia (League of Kenya Women Voters), Kenya Tuitakayo: Model Constitution (Citizens Coalition for Constitutional Change), Wewe na Uongozi (Ecumenical Centre for Justice and Peace), Kufikia Katiba: Mwongozo wa Mafunzo ya Mageuzi ya Katiba (Ecumenical Centre for Justice and Peace), lelewe Katiba Yako (NACEFCO), Mwongozo wa Sheria Kwa Wanawake (FIDA), Njia ya Kufikia Katiba Mpya (4Cs), Tuibadili Katiba Yetu (Legal Resources Foundation), and Wewe na Kura Yako (Ecumenical Centre for Justice and Peace).

Most civic education materials are not user-friendly

More than half of the civic education materials reviewed is not user-friendly. However, recent materials tend to be user-friendlier than the older ones. User friendliness encompasses many things. The following features are notable of the more recent materials. First, there is wide use of sketches and cartoons. Secondly, end user materials are packaged as A5 booklets, which makes handling easier. Third, bigger and more readable fonts are used. Fourth, case studies are used in the text.¹⁹³ Fifth, both English and Kiswahili versions of the materials are bound together, so that readers can use the language they are most comfortable with.¹⁹⁴ Sixth, their increasing use of message development workshops for civic education and human rights materials.¹⁹⁵

Civic education materials have tended to duplicate each other

Duplication is the norm rather than the exception when it comes to civic education materials. Materials developed by different organisations on the same topics are invariably similar. This pattern can be attributed to the fact that civic education organisations may not always know what others have done in the past, since there has been no organised depository for civic education materials. It is also possible that some duplication occurs out of 'necessity'. This can be for two reasons. First, an organisation may learn too late in the process that materials similar to the ones its wants to publish have already been, or will soon be, published; in such an event, it is difficult to avoid duplication. Secondly, an organisation may have committed itself to a donor to produce materials on a particular issue but later learns that such material is already available. If the donor is not willing to negotiate and give the organisation room to do other materials, duplication will be inevitable.

¹⁹³ One example of a user-friendly booklet we came across is FIDA's *The Women's Guide to Law*, 2001.

¹⁹⁴ See for example Legal Resources Foundation, *Reforming Our Constitution/Tuibadili Katiba Yetu*, 1997.

¹⁹⁵ The Kenya Human Rights Commission reports using message development workshops to prepare materials for the project titled Constitution Reform Education. See the Kenya Human Rights Commission, *Constitutional Reform Project Evaluation Report*, 2001 p.

There is poor monitoring of the distribution of civic education materials

Most civic education providers have not in the past given sufficient attention to monitoring the distribution of civic education materials. Indeed, there is invariably no coherent distribution strategy nor are there distribution records. It is thus difficult to assess the reach of distribution.

Most civic education materials are printed in small quantities and therefore poorly distributed

Civic education providers have tended to produce civic education materials in small quantities, which limits their overall reach. This is often a function of limited funding. The result is that the unit cost of publishing is very high, thereby resulting in a high cover price when the materials are to be sold.

There is in general no evaluation strategy for most civic education materials

Among the organisations that we surveyed, we noted that civic education organisations lack a clear strategy to evaluate the effectiveness of civic education materials they produce. Of the materials reviewed for this study, only those from the Ecumenical Centre for Justice and Peace address the evaluation issue by including a cut-out evaluation form for users to give their feedback.¹⁹⁶ Consequently, it is possible that materials that are more recent continue to have the drawbacks of earlier ones.

8.3 Conclusion

- A wide diversity of civic education materials is in existence though some of the materials are outdated and needs content and layout revisions. Still, those who propose to do civic education materials can benefit immensely from reviewing the materials that already exist.

8.4 Recommendations on Civic Education Materials

Kiswahili language materials should be promoted

Serious efforts should be directed to ensure that civic education end user materials are predominantly in Kiswahili rather than English language.¹⁹⁷ Consideration should be given in particular to translating at least into Kiswahili the set of civic education materials developed in 2001 by civic education organisations and the National Civic Education Programme (the curriculum, the handbook, and the trainers guide).

¹⁹⁶ *Multi-partism-Without Democracy, A challenge for the Voter*, 2001; *Kufikiria Katiba, Mwongozo wa Mafunzo ya Mageuzi ya Katiba*, 1999; and *Wewe na Kura Yako, Kitabu Cha Mpigaji Kura*, 199), published by the Ecumenical Centre for Justice and Peace, has a cut-out questionnaire. The questionnaire asks for comments on whether the language used is simple or difficult, whether stories and illustrations used communicate the message of democracy and elections, whether the booklets met their expectations, and what else they would like to know concerning democracy and elections in Kenya.

¹⁹⁷ One possibly cost effective strategy is to print English and Kiswahili versions of civic education materials back to back. This is what the Legal Resources Foundation has done with the booklet 'Reforming our Constitution/Kuibadili Katiba Yetu'.

Distribution of civic education materials should be monitored

Civic education organisations should develop a strategy for distribution of civic education materials. Such a strategy should clearly delineate which materials will be distributed where, for what target, and whether or not the materials will be for sale. Clear documentation on distribution should be maintained.

It is important that civic education materials are evaluated by the end users, and their feedback incorporated in subsequent materials.

Annex 1

List of Civic Education Providers 1990 to 1997

Name of Org.	Type of Org.	Org. Mission	Civic education areas of focus	Activity location by district	Target group
1. Centre for Governance & Development (CGD).	NGO dealing with civic education	Democracy Strengthening	Promotion of Democracy through CE/ Legal Education and Rights Awareness	Kenya	Policy makers Government Private sector
2. Youth Agenda (YA)	NGO	Youth Policy	Promotion of democratic principles with youth as a focus/ Voter education and election monitoring	Organise seminars All-over Kenya	Youth
3. Women's Rights Awareness Programme (WRAP)	NGO	Gender violence	Gender, legal, social, economic empowerment of women/Paralegal training, Legal aid and advocacy	Kenya/Women	Women
4. National Commission the Status of Women (NCSW)	NGO for women empowerment	Advancement of women	Advance the status of women through civic education; gender sensitisation, lobbying & networking with like-minded organisations. Gender sensitisation, legal and political education	Kenya/Women	Women through women's organisations
5. Institute for Education in Democracy (IED)	NGO for promoting Democratic principles	Civic education	Political empowerment of women youth peer training on civic education Voter education Election monitoring. Voter education and election monitoring	National	Policy Makers Public and Private Sector Other CSOs
6. Public Law Institute (PLI)	NGO/Public legal Organisation	Public interest legal support	Provide legal representation to those unable to represent themselves (because of financial or other inability). Youth law project Sexual abuse Democracy scholarships Legal empowerment for	Kenya	Kenyans/The poor and marginalised in particular

			the informal sector Consumer Legislation Environmentalism Youth and law, sexual abuse prevention Advocacy and democracy scholarship		
7. International Federation of Women Lawyers (FIDA)	NGO		-Enhance & protect women's rights through legal education, advice, rights awareness & representation, legal aid, monitoring and report writing.	Kenya	Women/Policy makers/Legal institutions/The Police
8. League of Kenya Women Voters	NGO for promoting Women welfare	Women's political participation	Increase participation of women in the political process & in public affairs. Publication and training	Kenyan women voters	Kenya women voters
9. International Commission of Jurists(ICJ)	NGO promoting legal ideas	Public legal education	Promotion & projection of the rule of law. Promotion of human rights promotion of democracy Paralegal training	National/Meru/Emb u	Policy makers Public
10. Civic Resource & Information Centre (CRIC)	NGO for citizens Empowerme nt.	Civic education	Promote civic education Conflict Management	Kenya	Public without access to justice
11. Agency for Development Education & Communication (ADEC)	NGO	Civic education	Assist in social ,economic & political development of Kenya through citizen training Capacity building Training of civic education provider primarily churches	Most parts of Kenya apart from Rift valley N.E Provinces	Works mainly with providing CE capacity to religious sector
12. Development & Peace Network (PeaceNet)	Provide an advocacy platform for legal and human rights NGO	Advocacy for civic education providers	Sensitise people through media and peace program avoid repeat of clashes Media outreach, publications		Conflict prone areas and population groups
13. The Coalition on Violence against Women Kenya	Promote eradicating of violence against women. Create awareness of legal services available to women.	Women's right	Observe 16 days of activism Annually. Agitate for laws that Protect women. Undertake school outreach programs. Lobby and advocacy for women's right	National	Women and men
14. Kenya Pastoral	NGO for	Pastoralist	Agitating for a responsive	N.E	Pastoralists

Forum	enhancing democratic ideals	Advocacy	government. Advocate for the minority (pastoralists rights & goals) Land tenure advocacy, resources centre and radio communication	Province Narok Kajiado Turukana.	
15. Kituo cha Sheria.	NGO for legal /human rights	Provision of legal aid and legal education	Paralegal training, material publishing, legal aid and school outreach		Poor & marginalised without access to justice
16. Citizen Coalition for Constitution Change.	NGO dealing with democratization	Democracy strengthening	Democratization in terms of Administration & Governance Election monitoring and constitutional review	National	Policy makers/public
17. Greenbelt Movement	NGO	Environmental conservation	Environmental conservation and protection Alleviation of poverty Urban based civic education. Rural based civic education. Anti-corruption campaigns, information dissemination and rural confidence building programs	Urban & rural Areas/National	Women primary focus/policy makers/public
18. Education Centre women in Democracy (ECWD)	NGO for civic Education (promoting democratic governance)	Women and civic education	Civic education Assist women to achieve their political aspirations Rough research , Communication training and civic education. Rights awareness Candidate identification and training, internship peace building	Rift Valley Province	Population in Rift Valley Province/Conflict prone areas in this province
19. Kenya Anti-rape Organisation	NGO for women welfare	Policy Advocacy	Protect women from violence Policy advocacy (sexual violence and gender inequality)	National wherever victims of sexual violence are to be found	Women victims of sexual assault/police/policy makers
20. Institute of Civic Education and Development (ICEDA)	NGO	Civic education	Voter education and election monitoring	Nyanza Province	Public/ Nyanza province
21. Kenya Human Rights Commission (KHRC)	NGO	Human rights	Monitoring human rights violations, human rights advocacy, programs on land rights, women's rights and political prisoners, research	Kenya	Kenyans
22. Legal Resources Foundation (LRF)	NGO	Legal education and promotion of citizenry participation	Right awareness through media, school outreach and paralegal training	Kenya	Marginalised communities/urban rural/youth

		in governance and the democratic process			
23 Presbyterian Church of East Africa	Church	Christian Education	Voter education and human rights advocacy	National Org./Congregation s of PCEA	Members of PCEA
24. St Joseph the Workers Parish	Church	Overall community welfare- spiritual, health, human rights	Voter education	Change High density Neighbourhood/Na irobi	Change Residents in Nairobi
25. Young Women's Christian Association (YWCA)	NGO	National Organisation	National Organisation	National	Young women members of YWCA

SOURCE: USAID CIVIC EDUCATION STUDY (1997) AND NGO COUNCIL RECORDS

Annex 2

Annex 2

LIST OF CIVIC EDUCATION PROVIDERS, 2001

Name of organisation	Location/Headquarters	Year Established	Type of Org.	Civic Education Area of Focus	Activity location by District	Target Group
1. Centre for Governance & Development (CGD)	Nairobi		NGO dealing with civic education	Promotion of Democracy through CE	Kenya	Kenyans
2. Youth Agenda (YA)	Nairobi		NGO	Promotion of democratic principles with youth as a focus	Organise seminars All-over Kenya	Kenyans
3. Women's Rights Awareness Program (WRAP)	Nairobi		NGO	-Gender, legal, social, economic empowerment of women	Kenya	Kenyans
4. National Commission the Status of Women (NCSW)	Nairobi		NGO for women empowerment	Advance the status of women through civic education; gender sensitisation, lobbying & Networking with like-minded organisations.	Kenya	Kenyans
5. Institute for Education in Democracy (IED)	Nairobi		NGO for promoting Democratic principles	Political empowerment of women youth peer training on civic education Voter education Election monitoring.		
6. Public Law Institute (PLI)	Nairobi		Public law firm	Provide legal representation to those unable to represent themselves (because	Kenya	Kenyans

				of financial or other inability. Youth law project Sexual abuse Democracy scholarships Legal empowerment for the informal sector Consumer Legislation Environmentalism		
7. International Federation of Women Lawyers (FIDA)	Nairobi		NGO	-Enhance & protect women's rights through legal education, advice, rights awareness & representation, legal aid, monitoring and report writing.	Kenya	Kenyans
8. League of Kenya Women Voters	Nairobi		NGO for promoting Women welfare	Increase participation of women in the political process & in public affairs.	Kenya	Kenyans
9. International Commission of Jurists(ICJ)	Nairobi		NGO promoting legal ideas	Promotion & projection of the rule of law. Promotion of human rights promotion of democracy	Kenya	Kenyans
10. Civic Resource & Information Centre (CRIC)	Nairobi.		NGO for citizens Empowerment.	Promote civic education	Kenya	Kenyans
11. Agency for Development Education & Communication (ADEC)	Nairobi		NGO	Assist in social ,economic & political development of Kenya through citizen training Capacity building	Most parts of Kenya apart from Rift valley N.E Provinces	Kenyans
12. Development & peace NETWORK	NGO for promoting human rights		Provide an advocacy platform for legal and human rights NGO	Sensitise people through media and peace program avoid repeat of clashes		
13. The Coalition on Violence	NGO for promoting		Promote eradication	Observe 16 days of activism		

against WOMEN Kenya	women rights as human rights		g of violence against women. Create awarenes s of legal services available to women.	Annually. Agitate for laws that Protect women. Undertake school outreach programs.		
14. Kenya pastoral forum	Child welfare building ,Langata Rd. Madaraka Estate ,next to motherland motors used car sales yard)		NGO for enhancing democrati c ideals	Agitating for a responsive government. Advocate for the minority (pastoralists rights & goals)	N.E Province Narok Kajiado Turukana.	Pastoralist s
15. KITUO CHA SHERIA.	Kituo Cha Sheria offices		NGO for legal matters			
16. Citizen Coalition for Constitution Change.	4Cs offices		NGO dealing with democrati sation	Democratisation in terms of Administration &Governance	Kenya	Kenyans
17. Greenbelt Movement	GBM offices The Adams Arcade		NGO	Environmental conservation and protection Alleviation of poverty Urban based civic education. Rural based civic education.	Urban & rural Areas	Kenyans
18. Ford foundation	Transnational plaza 6 th fl. city hall way		A social Science agency which is knowledg e generatio n & supports innovative activities	Gender Democratic values General rights awareness University based research aimed at generating information. Government/other policy development Implementation of Support capacity building	Kenya	Citizen groups NGOs Governme nts Universitie s
19. SIDA	International Hse, Nairobi		Donor agency	Support capacity building	Nairobi & Outside (most activities are rural based)	NGOs/Pro jects Mass media
20. Education Cent women in Democracy(EC WD)	ECWD offices; Ngong Rd.		NGO for civic Education (promoting democrati	Civic education Assist women to achieve their political aspirations	Kenya	Kenyans

			c governanc e)	Rough research , Communication training and civic education. Rights awareness		
21.	AALC		Donor agency	Democracy ,transparency within trade unions Empowerment of citizens and promote participatory approaches among members & leaders	Kenya	Kenyans
22. Kenya anti- rap organisation	Kibera, on Kibera Dr.		GO for women welfare	Protect women from violence	Kenya	Kenyans
23. Hanns- Seidel-Stiftung	Bishan plaza Mpaka Rd.		Donor	Civic education Emphasise NGO accountability Through visits ,trailers Training ,publications Encourage participant centred	Nairobi & outside	Kenyans
24. Pastorist Community Development. Org.	Marsabit		NGO		Kenya	Kenyans
25. Ragwe Literacy Community Services Projects	Homabay		NGO		Kenya	Kenyans
26. Community Education and Development Network.	Nairobi		NGO dealing with Communit y Develop.		Kenya	Kenyans.
27. CEDEV	Bunyore.		NGO		Kenya	Kenyans
28. Matumaini Youth Group	Nairobi		NGO		Kenya	Kenyans
29. BEACON/APFO R	Nairobi		NGO		Kenya	Kenyans
30. Building Eastern Africa Community Network	Nairobi		NGO		Kenya	Kenyans
31. Endorois Community	Marigat		NGO		Kenya	Kenyans
32. KENASU	Nairobi		NGO		Kenya	Kenyans
33. Dupoto ee Maa	Kajiado		NGO		Kenya	Kenyans

34. St. Judes Counseling Centre	Nairobi		NGO		Kenya	Kenyans
35. Makueni paralegal coordinator	Makueni		NGO		Kenya	Kenyans
36. Disability Awareness	Nairobi		NGO		Kenya	Kenyans
37. Likajoni Juakali association	Nairobi		NGO		Kenya	Kenyans
38. ICPSK	Nairobi		NGO		Kenya	Kenyans
39. Legal Recourse Foundation	Nairobi		NGO		Kenya	Kenyans
40. World Neighbours	Nairobi		NGO		Kenya	Kenyans
41. Ecumenical Centre for Justice and Peace	Nairobi		NGO		Kenya	Kenyans
42. Association for Accounting Technicians of Kenya	Nairobi		NGO		Kenya	Kenyans
43. Youth Federation for Work Peace	Nairobi		NGO		Kenya	Kenyans
44. Law society of Kenya	Nairobi		NGO		Kenya	Kenyans
45. Centre for The Advancement for Women and Children	Nairobi		NGO		Kenya	Kenyans
46. Centre for The Advancement for Women and Children	Nairobi		NGO		Kenya	Kenyans
47. CAWAC	Nairobi		NGO		Kenya	Kenyans
48. ECWD	Nairobi		NGO		Kenya	Kenyans
49. WOWESOK	Nairobi		NGO		Kenya	Kenyans
50. USAID	Nairobi		NGO		Kenya	Kenyans
51. KITUO CHA SHERIA	Nairobi		NGO		Kenya	Kenyans
52. CREDO	Machakos		NGO		Kenya	Kenyans
53. ECWD	Nairobi		NGO		Kenya	Kenyans
54. Release Political Prisoners	Nairobi		NGO		Kenya	Kenyans
55. Media Consultants	Nairobi		NGO		Kenya	Kenyans
56. Endorois W.M.Committee	Marigat		NGO		Kenya	Kenyans
57. WOWESOK	Nairobi		NGO		Kenya	Kenyans
58. ICPSKS	Nairobi		NGO		Kenya	Kenyans
59. Embassy of Sweden	Nairobi		NGO		Kenya	Kenyans
60. Kenya	Garsen		NGO		Kenya	Kenyans

Pastoralist Forum						
60. World Neighbours	Nairobi		NGO		Kenya	Kenyans
61. East Africa Standard	Nairobi		NGO		Kenya	Kenyans
62. Kenya Broadcasting Corporation	Nairobi		NGO		Kenya	Kenyans
63. Northern Aid	Nairobi		NGO		Kenya	Kenyans
64. Legal Resources Foundation	Nairobi		NGO		Kenya	Kenyans
65. APSEA/4cs/NCE C	Nairobi		NGO		Kenya	Kenyans
66. CLEAN	Nairobi		NGO		Kenya	Kenyans
67. Social Economic Development Program	Embu		NGO		Kenya	Kenyans
68. NCCK	Nairobi		NGO		Kenya	Kenyans
69. Kenya broadcasting corporation	Nairobi		Government Organisation		Kenya	Kenyans
70. Social Democratic Party	Nairobi		Political Party		Kenya	Kenyans
71. National Council of Churches of Kenya	Nairobi		NGO		Kenya	Kenyans
72. ActionAid(K)	Nairobi		NGO Donor Agency		Kenya	Kenyans
73. CRECHE	Nairobi		NGO		Kenya	Kenyans
74. CRECO	Kisumu		NGO		Kenya	Kenyans
75. Collaborative Centre for Gender and Development	Nairobi		NGO		Kenya	Kenyans
76. Kenya Pastoralists Forum	Nairobi		NGO		Kenya	Kenyans
77. 4cs	Nairobi		NGO		Kenya	Kenyans
78. Young Muslim Association	Nairobi		NGO		Kenya	Kenyans
79. Child Devt. & Research Consultancy	Nairobi		NGO		Kenya	Kenyans
80. Pubic Law Institute	Nairobi		NGO		Kenya	Kenyans
81. Womankind(K)			NGO		Kenya	Kenyans
82. Consultant	South Africa		NGO		Kenya	Kenyans
83. Undugu Society	Nairobi		NGO		Kenya	Kenyans

84. Youth Agenda	Nairobi		NGO		Kenya	Kenyans
85. African Philanthropy Initiative	Nairobi		NGO		Kenya	Kenyans
86. Southern Network for Environment & Devt.	Nairobi		NGO		Kenya	Kenyans
87. ECJP	Nairobi		NGO		Kenya	Kenyans
88. 4cs	Nairobi		NGO		Kenya	Kenyans
89. MAPACA	Makueni		NGO		Kenya	Kenyans
90. SEDEP	Nairobi		NGO		Kenya	Kenyans
91. World Cares Association	Nairobi		NGO		Kenya	Kenyans
92. ECWD	Embu		NGO		Kenya	Kenyans
93. ACEWE	Nairobi		NGO		Kenya	Kenyans
94. Namanco Exam Ltd.	Nairobi		NGO		Kenya	Kenyans
95. CIDA	Nairobi		NGO		Kenya	Kenyans
96. Muungano Wa Wanavijiji	Nairobi		NGO		Kenya	Kenyans
97. Electoral Commission of Kenya	Nairobi		NGO		Kenya	Kenyans
98. Organisation of African Independent Churches	Nairobi		NGO		Kenya	Kenyans
99. League of Kenya Women Voters	Nairobi		NGO		Kenya	Kenyans
100. ECWD	Eldoret		NGO		Kenya	Kenyans
101. Grassroots Women Association of Kenya	Nairobi		NGO		Kenya	Kenyans
102. Grassroots Women Association of Kenya	Nairobi		NGO		Kenya	Kenyans
103. American Centre for International Labour Solidarity	Nairobi		NGO		Kenya	Kenyans
104. Women Political Caucus	Siaya		NGO		Kenya	Kenyans
105. NGO's Council	Nairobi		NGO		Kenya	Kenyans
106. SODNET	Nairobi		NGO		Kenya	Kenyans
107. Widows and Orphans Welfare Association of Kenya	Nairobi		NGO		Kenya	Kenyans
108. NCSW	Nairobi		NGO		Kenya	Kenyans
109. IDRC	Nairobi		NGO		Kenya	Kenyans
110. Windows and Orphans Welfare			NGO		Kenya	Kenyans

Association of Kenya						
111. Asis Promotions	Nairobi		NGO		Kenya	Kenyans
112. University of Bristol	Nairobi		NGO		Kenya	Kenyans
113.	Eldoret		NGO		Kenya	Kenyans
114.	Eldoret		NGO		Kenya	Kenyans
115. CLARION	Nairobi		NGO		Kenya	Kenyans
116. CLARION	Nairobi		NGO		Kenya	Kenyans
117. Youth Agenda	Nairobi		NGO		Kenya	Kenyans
118. Womankind Kenya	Garissa		NGO		Kenya	Kenyans
119. IED	Nairobi		NGO		Kenya	Kenyans
120. KAACR	Nairobi		NGO		Kenya	Kenyans
121. Muslim Consultative Council	Nairobi		NGO		Kenya	Kenyans
122. Kenya Alliance for Advancement of Children	Nairobi		NGO		Kenya	Kenyans
123. Institute for Education in Democracy			NGO		Kenya	Kenyans
124. Save the Children Canada	Nairobi		NGO		Kenya	Kenyans
125. Federation of women Groups	Nyamira		NGO		Kenya	Kenyans
126. Federation of women Groups	Nyamira		NGO		Kenya	Kenyans
127. Gender Sensitive Initiatives(GSI)	Nairobi		NGO		Kenya	Kenyans
128. Young Women Christian Association	Nairobi		NGO		Kenya	Kenyans
129. United Disabled Persons of Kenya	Nairobi		NGO		Kenya	Kenyans
130. Shirika La Elimu Na Maendeleo	Wundanyi		NGO		Kenya	Kenyans
131. Crescent of Hope	Nairobi		NGO		Kenya	Kenyans
132. Mazigira Institute	Nairobi		NGO		Kenya	Kenyans
133. Young Women Christian Association	Nairobi		NGO		Kenya	Kenyans
134. CEEWA/GWAK E	Nairobi		NGO		Kenya	Kenyans

135. Foundation for the Devt. of African Culture	Nairobi		NGO		Kenya	Kenyans
136. Muliro Centre for Human Rights & Democracy	Nandi		NGO		Kenya	Kenyans
137. ECWD	Iten		NGO		Kenya	Kenyans
138. Community Motivator	Iten		NGO		Kenya	Kenyans
139.	Nairobi		NGO		Kenya	Kenyans
140. ECWD	Kitale		NGO		Kenya	Kenyans
141. ActionAid(K)-Kariobangi	Nairobi		NGO Donor Agency		Kenya	Kenyans
142. Pastoralist Community Devt. Organization	Marsabit		NGO		Kenya	Kenyans
143. ECWD	Mumias		NGO		Kenya	Kenyans
144. Labour Caucus	Nairobi		NGO		Kenya	Kenyans
145. Kudheihia	Nairobi		NGO		Kenya	Kenyans
146. Maendeleo ya Wanawake	Bomet		NGO		Kenya	Kenyans
147. ECWD	Sotik		NGO		Kenya	Kenyans
148. ECWD	Moi's Bridge		NGO		Kenya	Kenyans
149. ECWD Liten Catholic Parish	Liten		NGO		Kenya	Kenyans
150. National Youth Movement	Nairobi		NGO		Kenya	Kenyans
151. Makueni Civic Education Group	Nairobi		NGO		Kenya	Kenyans
152. National Student Council on Peace	Nairobi		NGO		Kenya	Kenyans
153. Victoria Cultural Society	Kisumu		NGO		Kenya	Kenyans
154. Kenya Rural Builders Action	Nairobi		NGO		Kenya	Kenyans
155. Romporito Poghisho Self Help Group	Kapenguria		NGO		Kenya	Kenyans
156. Sherika La Elimu Na Maendeleo	Werugha		NGO		Kenya	Kenyans
157. Professional Technical Consultants	Nairobi		NGO		Kenya	Kenyans
158. CREDO	Nairobi		NGO		Kenya	Kenyans
159. Centre for Human Rights & Civic Education	Mwingi		NGO		Kenya	Kenyans
160. Kenya	Garissa		NGO		Kenya	Kenyans

Pastoralist Forum						
161. ICJ	Meru		NGO		Kenya	Kenyans
162. ICJ	Meru		NGO		Kenya	Kenyans
163. ILISHE	Mombasa		NGO		Kenya	Kenyans
164. ICJ	Meru		NGO		Kenya	Kenyans
165. Pastoralists Community Devt. Org.	Marsabit		NGO dealing with community development. Devt.		Kenya	Kenyans
166. Ragwe Literacy & Comm Service Project	Ragwe		NGO		Kenya	Kenyans
167. ActionAid	Isiolo		NGO Donor Agency		Kenya	Kenyans
168. Organisation of African Institute of Churches	Nairobi		NGO		Kenya	Kenyans
169. Focus on Disability Awareness (FAMDAD)	Nairobi		NGO		Kenya	Kenyans
170. World Neighbours	Voi		NGO		Kenya	Kenyans
171. Matumaini Youth Group	Village Market Nairobi		NGO		Kenya	Kenyans
172. Kenya Society for the Disabled	Nairobi		NGO		Kenya	Kenyans
173. Kenya Pastoralist Forum	Meru		NGO		Kenya	Kenyans
174. Muliro Centre For Human Rights & Democracy	Kitale & Eldoret		NGO		Kenya	Kenyans
175. Kenya National Union Teachers	Nairobi		NGO		Kenya	Kenyans
176. ActionAid (K)			NGO		Kenya	Kenyans
177. Revival Crusade Church	Homabay		NGO		Kenya	Kenyans
178. Friends of Nomads International			NGO		Kenya	Kenyans
179. ECWD	Ngong Hills		NGO		Kenya	Kenyans
180. E.C.W.D.- Nakuru	Nakuru		NGO		Kenya	Kenyans
181. E.C.W.D.- Nakuru	Nakuru		NGO		Kenya	Kenyans
182. Kenya National	Naivasha		NGO		Kenya	Kenyans

Chambers of Commerce & Industry- Nyandarua						
183. Kenya Women Political Caucus Gender & Policy Advocate	Nairobi		NGO		Kenya	Kenyans
184. NGO Council			NGO		Kenya	Kenyans
185. 4Cs	Nairobi		NGO		Kenya	Kenyans
186. Kireti Women Organisation	Wundanyi		NGO		Kenya	Kenyans
187. Institute of Civic Affairs and Development	Nairobi		NGO		Kenya	Kenyans
188. NGOs Council	Nairobi		NGO		Kenya	Kenyans
189. Youth Environmental Concern	Nairobi & Eldoret		NGO		Kenya	Kenyans
190. The Psychological, Education Counseling Environment.	Nairobi		NGO		Kenya	Kenyans
191. Muungano Wa Wanavijiji	Nairobi		NGO		Kenya	Kenyans
192. Kaya Ecological & Cultural Organisation	Mombasa		NGO		Kenya	Kenyans
193. Labour Caucus	Nairobi		NGO		Kenya	Kenyans
194.	Ainaboi		NGO		Kenya	Kenyans
195. NGOs Council	Nairobi		NGO		Kenya	Kenyans
196. Maa Devt. Assoc.	Narok		NGO		Kenya	Kenyans
197. Kaya Ecological & Cultural Organisation	Mombasa		NGO		Kenya	Kenyans
198. NCEC	Nairobi		NGO		Kenya	Kenyans
199. NGOs Council	Nairobi		NGO		Kenya	Kenyans
200. S.i.l.i.g.i.	Nyanyuki		NGO		Kenya	Kenyans
201. NGOs Council	Nairobi		NGO		Kenya	Kenyans
202. Nyakach Community Devt Assoc.	Kisumu		NGO		Kenya	Kenyans
203. ECWD	Kedowa		NGO		Kenya	Kenyans
204. Kituo Cha Sheria	Nairobi		NGO		Kenya	Kenyans
205. ECWD	Nakuru		NGO		Kenya	Kenyans
206. American	Nairobi		NGO		Kenya	Kenyans

Centre for International Labour Solidarity						
207. CABIN- Kenya	Machakos		NGO		Kenya	Kenyans
208. Institute for Civic Affairs & Development	Nairobi		NGO		Kenya	Kenyans
209. Freelance Consultant	Nairobi		NGO		Kenya	Kenyans
210. ILISHE	Mombasa		NGO		Kenya	Kenyans

Annex 3

List of National Level Women's Organisations and Issues of Focus 1998

Name Of Organization	Focus Region On Country	FGM	Gender Rights	Constitutional Reform	Political Education	Economic Power	Peace Promotion
African Women in Agriculture and Development	National					*	
African Women's Development Communication Network	National/International		*		*		
Association for African Women for Research and Development	National/International		*				
Breastfeeding Information Group	National		*			*	
Centre for the Advancement of Women	Western Kenya/Busia District					*	
Council for Economic Empowerment of Women	National					*	
Education Centre for Women in Democracy	Rift Valley/Western/Nyanza Provinces				*		*
Federation of Women Groups (Nyamira)	Nyamira District/Nyanza Province	*					
Forum for African Women Educationalists	National/International		*			*	
Gender Sensitive Initiatives	Western Kenya/National		*			*	
International Federation of Women Lawyers	National/International		*	*	*		
Kenya Business and Professional Women's Club	National		*			*	
Kenya Medical Women's Association	National		*				

Kenya Women Finance Trust	National		*			*	
Kenya Women's Political Caucus	National		*	*	*		
Kireti Women's Organisation	Coast Province/Mutwate Division		*			*	
League of Kenya Women Voters	National		*	*	*		
Maendeleo Ya Wanawake Organisation	National	*	*	*	*	*	
National Commission on the Status of Women	National		*		*		
Sister's Women Group	Western Province		*		*		
The Family Support Institute	National		*			*	
The Women Bureau (GoK)	National	*	*	*	*	*	*
Women Kind Kenya	Garissa District	*	*				
Young Women's Christian Association	National		*			*	

Annex 4 List of Members of Civic Education Consortia 2001

The Constitutional Reform Education Consortium (CRE-CO)

1. Kenya Human Rights Commission (KHRC)
2. Education Centre for Women in Development (ECWD)
3. Release Political Prisoners (RPP)
4. Citizen Coalition for Constitutional Change (4Cs)
5. Shirika La Elimu Maendeleo (SEMA)
6. Mazingira Institute
7. Youth Agenda
8. National Convention Executive Council (NCEC)
9. St Jude's Counseling Centre
10. United Disabled Person of Kenya (UDPK)
11. Institute of Civic Affairs and Development (ICAD)
12. Pastoralist Community Development Organisation PACODEO)
14. Legal Resources Foundation (LRF)
15. Public Education and Research Centre (PERC)
16. Kaya Ecological and Cultural Education (KECO)
17. ILLISHE Trust
18. The Labour Caucus
19. Muungano Wa Wanavijiji
20. The Women Organisation

Constitutional Education for Marginalised Categories (CEDMAC)

1. Muslim Civic Education Trust (M-CET)
2. Kenya Pastoralist Forum (KPF)
3. Friends of Nomads International (FONI)
4. Northern Aid
5. Muslim Consultative Council (MCC)
6. Tana Western Resource and Management (Tana - WRECOM)
7. Survival for Pokot People's Initiative
8. Kenya Indigenous Religions (KIR)
10. UHAI - Regional Forums
11. WomanKind
12. Supreme Council of Kenya Muslims

The Ecumenical Constitutional Education Programme (ECEP)

1. National Council of Churches of Kenya (NCCCK)
2. Catholic Justice and Peace Commission

The Women's Political Caucus

1. ABANTU for Development
2. African Community Education Network (ACEN)
3. AMKA
4. AAWORD
5. Association of Media Women in Kenya (AMWK)
6. Association of Sisterhoods of Kenya (AOSK)
7. The Centre for the Advancement of Women and Children (CAWAC)
8. Centre for Gender and Development - Kisumu
9. Christian Partners Development Agency (CPDA)
10. Coalition on Violence Against Women (COVAK)
11. Collaborative Centre for Gender and Development (CCGD)
12. Grassroots Women Association of Kenya (G - WAKE)
13. The Federation of Women Groups (FWG)
14. International Federation of Women Lawyers (FIDA)
15. Kangemi Women's Empowerment Centre (KWEC)
16. Kenya Female Advisory Organisation (KEFEADO)
17. Kenya Oral Literature Association (KOLA)
18. League of Kenya Women Voters (LKWVs)
19. Maendeleo Ya Wanawake Organisation (MYWO)
20. National Council of Women in Kenya (NCWK)
21. Siaya Township Women Umbrella Group (SITWOG)
22. Widows and Orphans Welfare Society of Kenya (WEWOSOK)
23. Kenya Women and Youth League (KWYL)
24. Kenya Youth Education and Community Development Programme (KYECDP)
25. Kenya Organised Women Association (KOWA)
26. Breastfeeding Information Group

Annex 5

List of Civic Education Provider Organisations that Participated in the Institute for Education in Democracy (IED) Workshop on Civic Education. June 1994

Institute for Education in Democracy	IED
International Federation of Women Lawyers (Kenya)	FIDA
International Commission of Jurists (Kenya Section)	ICJ
Legal Education Aid Programme	LEAP
Church of the Province of Kenya	CPK
Pan African Forum	PAFO
National Ecumenical Civic Education Programme	NECEP
Kenya League of Women Voters	KLWV
Release Political Prisoners	RPP
National Council of Churches of Kenya	NCKK
Theatre for Development	TFD
Rights Awareness Project	RAP
Educators for Social Responsibility	ESR
Association of African Literacy and Adult Education	AALAE
Institute for Economic Affairs	IEA
African Network for the Protection and Prevention of Child Abuse and Neglect ANPPCAN	
Kenya Institute of Education	KIE
Gender Sensitive Initiatives	GSI

Annex 6

LIST AND DESCRIPTION OF CIVIC EDUCATION TRAINING MANUALS AND MATERIALS 2001

	DESCRIPTIVE TITLE	DESCRIPTION	ORGANISATIONS	YEAR OF PUBLICATION
1	A MANUAL FOR ELECTIONS OBSERVERS	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
2	ALTERNATIVE APPROACH TO BASICS	BOOKLET	ACTION AID	
3	APPROPRIATION GUIDE FOR MPs	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
4	BEFORE THE STORM	PLAY SCRIPT	CLARION	
5	BILLS DIGEST	PERIODIC REPORTS	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
6	BUNGE ,YOU AND ELECTIONS	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
7	BUNGE ,YOU AND THE CONSTITUTION	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
8	BUNGE, YOU AND ELECTIONS	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
9	CORRUPTION, A SURVEY	RESEARCH REPORT	SODNET	
10	ELECTION OBSERVATION MANUAL	MANUAL	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	
11	ELECTORAL ENVIRONMENT IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
12	FIDA NEWS	PERIODIC NEWSLETTER	FIDA	
13	FOCUSSING ON KENYA'S	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
14	FUTURE POLICY REFORMS			
15	FREEDOM OF INFORMATION BILL 2000	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
16	GOOD GOVERNANCE AND ACCOUNTABILITY IN KENYA	BOOKLET	INTERNATIONAL COMMISSION OF JURISTS	
17	HOW IPPG REFORM AFFECTS YOU	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
18	KABLA YA DHORUBA	PLAY SCRIPT	CLARION	
19	KANZALA	PLAY SCRIPT	CLARION	
20	LEARNING TOGETHER TO BUILD ONE NATION, A PRACTICAL GUIDE ON HOW TO DO CIVIC EDUCATION	BOOKLET	DARAJA, FES	
21	MTETEZI	PERIODIC MAGAZINE	RELEASE POLITICAL PRISONERS	
22	MULTIPARTY GENERAL ELECTIONS 1992	RESEARCH REPORT	INSTITUTE OF EDUCATION IN DEMOCRACY	
23	MWONGOZO WA SHERIA KWA WANAWAKE	BOOKLET	FIDA	

24	MY VOTE MAKES THE DIFFERENCE	GUIDEBOOK	INSTITUTE OF EDUCATION IN DEMOCRACY	
25	NATIONAL ELECTIONS DATA-BOOK 1963-1997	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
26	OUR PROBLEM, OUR SOLUTION	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
27	PARALEGAL TRAINING MANUAL	TRAINING MANUAL	INTERNATIONAL COMMISSION OF JURISTS	
28	PARTIES AND FUNDAMENTAL VALUES	BROCHURE	CONRAD ADENAUER STIFFING	
29	PARTS AND BITS OF THE CONSTITUTION 1,2,3,4	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
30	PARTY STRUCTURE AND INTERNAL DEMOCRACY	BOOK	CONRAD ADENAUER STIFFING	
31	POLITICAL PARTIES AND SOCIETY	BOOK	CONRAD ADENAUER STIFFING	
32	POLITICAL PARTIES IN KENYA	BOOKLET	ADEC	
33	PROMOTING ECONOMIC DEVELOPMENT AND STRATEGIES FOR SELF RELIANCE		KAF	
34	QUARTERLY HUMAN RIGHTS REPORTS	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994-PRESENT
35	REFUGEE RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	INTERNATIONAL COMMISSION OF JURISTS	
36	RULE OF LAW REPORT	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
37	SHERIA MAGAZINE	PERIODIC MAGAZINE	LEAP-SHERIA (UNIVERSITY OF NAIROBI)	
38	THE BUDGET FOCUS	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
39	THE CONSTITUTION AND THE ECONOMY: POLICY BRIEF	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
40	THE CONSTITUTION DEMYSTIFIED	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
41	THE KENYA JURIST	PERIOD MAGAZINE	INTERNATIONAL COMMISSION OF JURISTS	
42	THE POINT	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
43	THE POLITICAL ECONOMY OF ETHNIC CLASHES IN KENYA	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
44	THE ROLE OF AGENTS IN ELECTIONS	BOOKLET	ADEC	
45	THE STATE OF RULE OF LAW IN KENYA	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
46	THE UN CONVENTION AGAINST TORTURE	PAMPHLET	PEOPLE AGAINST TORTURE	
47	TOWARDS SUSTAINABLE REGIONAL INTEGRATION IN EAST AFRICA: VOICES AND VISIONS	RESEARCH REPORT	CONRAD ADENAUER STIFFING	
48	TRADE NOTES	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
49	TUIBADILI KATIBA YETU	BOOKLET	LEGAL RESOURCES FOUNDATION	
50	UNDERSTANDING ELECTIONS IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
51	URBAN GOVERNANCE	BOOK	MAZINGIRA INSTITUTE	
52	VOTER EDUCATION MANUAL	TRAINING MANUAL	INSTITUTE OF EDUCATION IN DEMOCRACY	

53	WEWE NA JIRANI YAKO	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	
54	WEWE NA SHERIA	BOOKLET		
55	WOMEN AND LEADERSHIP IN KENYA	BOOKLET	KAF	
56	WOMEN OF THE WORLD	BOOKLET	FIDA	
57	YOU AND YOUR RIGHTS- YOU AND YOUR VOTE	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	
58	YOUNG VOICE	PERIODIC MAGAZINE	LEGAL RESOURCES FOUNDATION	
59	WOMEN AND LAW IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1989
60	CIVIL RIGHTS CARD	SMALL CARD	KITUO CHA SHERIA	1992
61	HAVEN OF REPRESSION	RESEARCH REPORT	KENYA HUMAN RIGHTS COMMISSION	1992
62	SLOW TORTURE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1992
63	REPORT OF THE PROCEEDING OF THE WORKSHOP ON SSAPS 1993	REPORT	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1993
64	STATE OF HUMAN RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1993
65	THE FALLEN ANGEL	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1993
66	WOMEN INITIATIVES IN KENYA'S DEMOCRATISATION	BOOKLET	NATIONAL COMMITTEE ON THE STATUS OF WOMEN IN KENYA	1993
67	CELEBRATING WOMEN'S RESISTANCE	BOOKLET	NEW EARTH PUBLICATIONS	1994
68	INDEPENDENCE WITHOUT FREEDOM	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1994
69	MAJIMBOISM, ETHNIC CLEANSING AND CONSTITUTIONALISM IN KENYA	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994
70	THE DREAM OF JUDICIAL SECURITY OF TENURE AND THE REALITY OF EXECUTIVE INVOLVEMENT IN KENYA'S JUDICIAL PROCESS	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994
71	THE ROAD TO EMPOWERMENT	BOOKLET	FEMNET	1994
72	ETHNICITY AND MULTI-PARTISM IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
73	KENYA TUITAKAYO	MODEL CONSTITUTION	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1995
74	LICENSED TO KILL	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
75	PAYING THE PRICE OF OPPOSITION POLITICS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
76	RESPONSIBLE CITIZENSHIP	BOOKLET	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1995
77	SOCIAL-CULTURAL OBSTACLES TO THE PARTICIPATION OF WOMEN IN THE DEMOCRATISATION PROCESS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995

78	A DEATH SENTENCE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
79	ARE YOU A PROTECTED TENANT?	BOOKLET	KITUO CHA SHERIA	1996
80	BEHIND THE CURTAIN	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
81	GENDER AND DEMOCRACY, AN ANALYSIS OF KENYA'S POLITICAL PARTIES MANIFESTOS	PAMPHLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1996
82	OUR STAND ON CONSTITUTIONAL CHANGE	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1996
83	OURS BY RIGHT THEIRS BY MIGHT	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
84	THE FORGOTTEN PEOPLE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
85	YOU AND THE LAW	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	1996
86	YOU AND THE LEADERSHIP, UNDERSTANDING DEMOCRATIC CONSTITUTIONS	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1996
87	AN ABC OF ELECTIONS	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
88	BRINGING BEIJING HOME	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1997
89	CIVIC EDUCATION MANUAL	TRAINING MANUAL	CATHOLIC JUSTICE AND PEACE COMMISSION	1997
90	ELECTIONS AND DEMOCRACY	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
91	INFORMAL SECTOR IN KENYA, A BASELINE	BOOKLET	PUBLIC LAW INSTITUTE	1997
92	KAYAS OF DEPRIVATION, KAYAS OF BLOOD	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
93	KINA MAMA NA DEMOKRASIA	BOOKLET	LEAGUE OF WOMEN VOTERS	1997
94	LAND RIGHTS DIRECTORY	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
95	LAW AND SOCIETY	BOOKLET	INTERNATIONAL COMMISSION OF JURISTS	1997
96	NJIA YA KUFIKIA KATIBA MPYA	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
97	PRISONERS RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
98	RIGHT OF WORKERS	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
99	SHACKLED MESSENGERS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
100	SURVEY OF THE LABOUR LAWS	BOOKLET	PUBLIC LAW INSTITUTE	1997
101	THE RULE OF LAW IN KENYA	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
102	THE STATE OF CONSUMER LAW IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1997
103	THE STATE OF LAWS RELATING TO THE	BOOKLET	PUBLIC LAW INSTITUTE	1997

	ENVIRONMENT IN KENYA			
104	TOWARDS A NO FAULT SYSTEM OF COMPENSATION IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1997
105	TOWARDS GENDER RESPONSIVE POLITICS	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1997
106	WEWE NA KURA YAKO	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
107	WEWE NA UONGOZI, FAHAMU VYOMBO VYA UONGOZI	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
108	WHAT THE CONSTITUTIONAL MEANS TO YOU	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
109	WOMEN AND DEMOCRACY , A VOTERS HANDBOOK	BOOKLET	LEAGUE OF KENYA WOMEN VOTERS	1997
110	WOMEN CANDIDATES IN KENYAN ELECTORAL POLITICS	BOOKLET	NATIONAL COMMISSION ON THE STATUS OF WOMEN	1997
111	A BASIC RIGHTS CHARTER	BOOKLET	BASIC RIGHTS STEERING COMMITTEE	1998
112	A WORLD OF JUSTICE FOR WOMEN	PAMPHLET	KONRAD ADENAUER STIFTUNG	1998
113	AFFIRMATIVE ACTION, THE PROMISE OF A NEW DAWN	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1998
114	DAMNED AND DEBASED	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
115	ENGENDERING GOVERNANCE	BOOKLET	NATIONAL COUNCIL FOR WOMEN IN KENYA	1998
116	IELEWE KATIBA YAKO	BOOK	NACEFCO	1998
117	KAYAS REVISITED	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
118	KILLING THE VOTE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
119	MEDIA CENSORSHIP IN A PLURAL CONTEXT	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
120	MISSION TO REPRESS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
121	POLITICAL PARTY ORGANISATION AND MANAGEMENT IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	1998
122	PRINCIPLES OF CRIMINAL LIABILITY	BOOKLET	LEAP-SHERIA	1998
123	RECLAIMING WOMEN'S SPACE IN POLITICS	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1998
124	REPORT ON THE 1997 GENERAL ELECTIONS	RESEARCH REPORT	INSTITUTE OF EDUCATION IN DEMOCRACY	1998
125	SHIMONI	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
126	THE RIGHT TO EDUCATION	BOOKLET	LEAP-SHERIA	1998
127	UPHOLDING HUMAN RIGHTS :THE ROLE OF THE COURTS	BOOKLET	LEAP-SHERIA	1998
128	UPHOLDING HUMAN RIGHTS: THE ROLE OF THE COURTS	BOOKLET	LEP-SHERIA	1998

129	WHERE TERROR RULES	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
130	WHO OWNS THIS LAND	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
131	WOMEN AND LAND RIGHTS IN KENYA	BOOKLET	KENYA HUMAN RIGHTS COMMISSION	1998
132	WOMEN CANDIDATES	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1998
133	CITIZENS AND COMMUNITIES IN THE 21 ST CENTURY	PAMPHLET	CONRAD ADENAUER STIFFING	1999
134	ECONOMY AND THE CONSTITUTION	BOOKLET	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1999
135	HAVEN OF FEAR	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1999
136	KUFIKIRIA KATIBA, MWONGOZO WA MAFUNZO YA MAGEUZI YA KATIBA	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1999
137	LIBERALISING TELECOMMUNICATION, EMPOWERING KENYANS IN THE INFORMATION AGE	RESEARCH REPORT	INSTITUTE OF ECONOMIC AFFAIRS	1999
138	MAINSTREAMING GENDER		KENYA HUMAN RIGHTS COMMISSION	1999
139	MAKING GENDER COUNT IN THE NATIONAL BUDGET	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1999
140	REFORMING OUR CONSTITUTION	BOOKLET	LEGAL RESOURCES FOUNDATION	1999
141	STOP VIOLENCE AGAINST WOMEN	TRAINING MANUAL	NATIONAL COUNCIL FOR WOMEN IN KENYA	1999
142	UNDERSTANDING THE BUDGET PROCESS IN KENYA	BOOKLET	SODNET	1999
143	WANAWAKE, JUMUIA YAO, HAKI ZAO	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1999
144	WOMEN ,THEIR COMMUNITY, THEIR RIGHTS	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1999
145	CIVIC EDUCATION FOR A BETTER KENYA	BOOKLET	NATIONAL COUNCIL FOR WOMEN IN KENYA	2000
146	DYING TO BE FREE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	2000
147	PARALEGAL TRAINING MANUAL, VOL. 1	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
148	PARALEGAL TRAINING MANUAL, VOL. 2	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
149	PARALEGAL TRAINING MANUAL, VOL. 3	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
150	SETTING THE PACE	PAMPHLET	THE COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	2000
151	THE COST OF GLOBALISATION	BOOKLET	KENYA SOCIAL WATCH	2000
152	THE WOMEN'S GUIDE TO LAW	BOOKLET	FIDA KENYA	2000
153	ACTION FORUM	BOOKLET	ACTION AID	2001
154	AN INTRODUCTION TO GENDER, LAW, AND SOCIETY IN KENYA	BOOKLET	CLARION	2001

155	ECONOMIC LIBERALISATION AND THE PEOPLE, PART 1	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
156	ECONOMIC LIBERALISATION AND THE PEOPLE, PART 2	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
157	KENYA AT THE CROSSROADS, SCENARIOS FOR OUR FUTURE	BOOKLET	INSTITUTE OF ECONOMIC AFFAIRS	2001
158	KENYA STATE OF CORRUPTION REPORT (ISSUE NO. 4)	RESEARCH BOOKLET	CLARION	2001
159	KENYA'S CONSTITUTIONAL EVOLUTION 1895-2001	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
160	KNOW YOUR RIGHTS, YOUR RIGHTS AS GUARANTEED UNDER THE IPPG REFORMS	BOOKLET	CLARION	2001
161	MAKING GENDER COUNT IN POLICY DEVELOPMENT, STRATEGIES THAT COUNT	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	2001
162	MAKING INFORMED CHOICES, A CURRICULUM FOR CIVIC EDUCATION	CURRICULUM	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
163	MAKING INFORMED CHOICES, A HANDBOOK FOR CIVIC EDUCATION	HANDBOOK	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
164	MAKING INFORMED CHOICES, A TRAINERS MANUAL FOR CIVIC EDUCATION	TRAINING GUIDE	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
165	MFUMO WA VYAMA BILA DEMOKRASIA, MWITO KWA WAPIGA KURA	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	2001
166	MULTIPARTISM WITHOUT DEMOCRACY	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	2001
167	STRENGTHENING THE ROLE OF PARLIAMENT IN THE BUDGET PROCESS	RESEARCH REPORT	INSTITUTE OF ECONOMIC AFFAIRS	2001
168	THE IRRIGATION ACT, AN INSTRUMENT OF TYRANNY	BOOKLET	RELEASE POLITICAL PRISONERS	2001
169	THE KENYAN WORKER AND THE LAW	BOOKLET	KITUO CHA SHERIA	2001
170	THE POCKET CONSTITUTION IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	2001
171	THE ROLE OF PARLIAMENTARIANS IN THE IMPLEMENTATION OF INTERNATIONAL TREATIES AND CONVENTIONS	WORKSHOP REPORT	FIDA	2001
172	WHAT CONSTITUTIONAL REVIEW?	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
173	YOUR AID AGAINST TORTURE	BOOKLET	PEOPLE AGAINST TORTURE	2001

Annex 7

Mapping study- Monitoring and Evaluation of Civic Education for Review in Kenya:

TERMS OF REFERENCE

MAPPING STUDY- MONITORING AND EVALUATION OF CIVIC EDUCATION FOR REVIEW IN KENYA:

Terms of Reference and Schedule

Provide a qualitative assessment of all past civic education initiatives and, analyse the political and economic environment for civic education initiatives at the national and local level.

Specifically the Consultant is expected to among other tasks:

- a) Identify CSOs carrying out civic education and how they are spread geographically. This will highlight areas that are under-served or entirely by-passed.
- b) Establish past and current civic education activities; the breadth and depth of the content and specifically assess the accuracy of the knowledge delivered;
- c) Identify past and current approaches and methodologies used to deliver civic education with judgements and preferences by respondents/learners;
- d) Review and document the form and content of materials used in these exercises and preferences expressed by respondents/learners;
- e) Establish impediments to implementation of civic education and strategies that have been used to overcome them,
- f) Assess the impact of previous civic education activities;
- g) Assess the political and economic environment for civic education including issues around the constitution review process.
- h) Work closely with the technical Assistance Team of the Donor Steering Committee in carrying out this assignment.

Annex 8

List of People and Organisations Interviewed for Mapping Study

Civic education provider's focus group discussion held on 27th September 2001 at Landmark Hotel, Nairobi

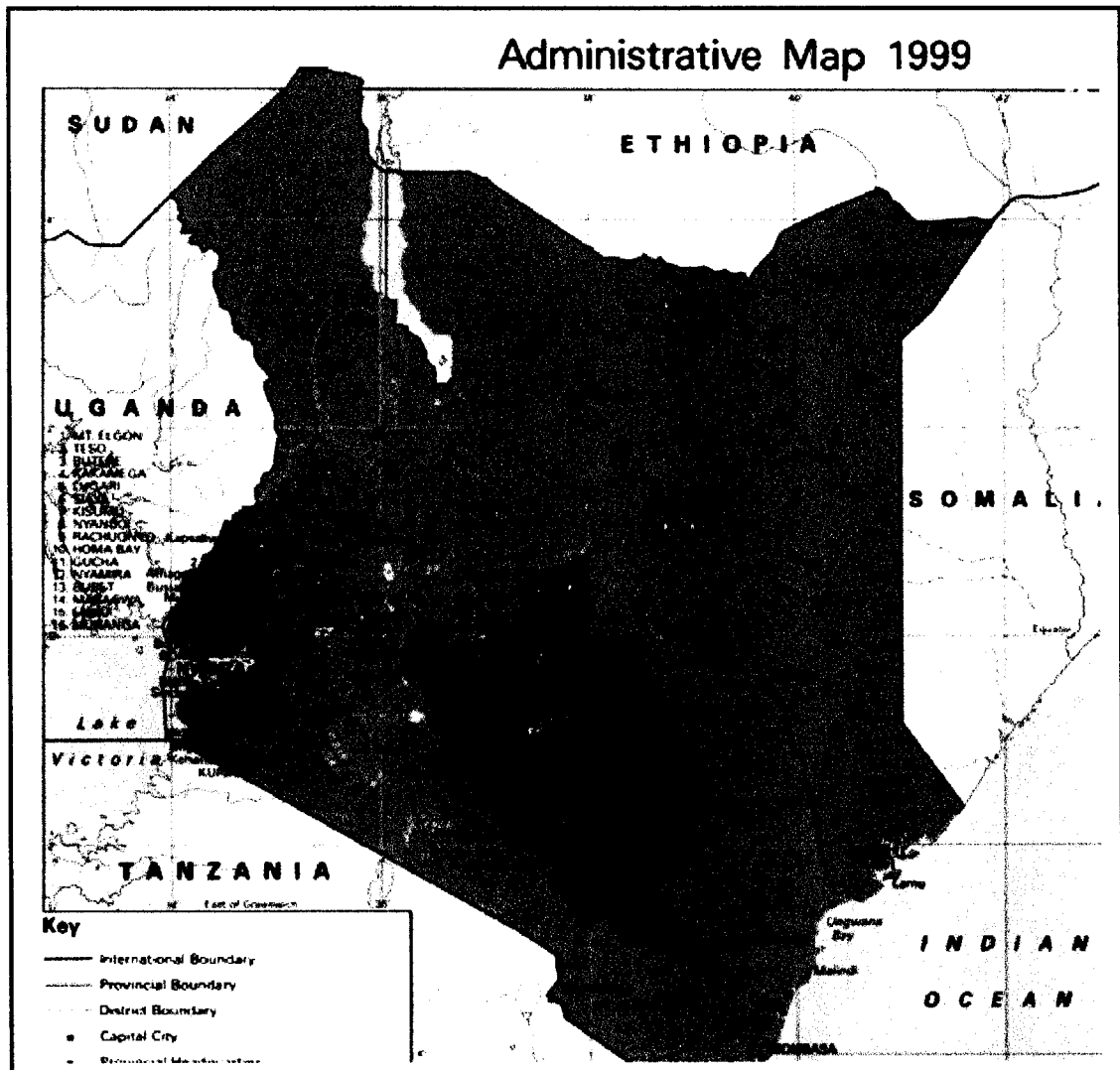
1. Black Odanyiro, CRECO
2. Antony Njui, Catholic Justice and Peace Commission/Ecumenical Civic Education Programme
3. Wambui Kimathi, Kenya Human Rights Commission
4. Atsango Chesoni, Independent Consultant
5. Otieno Namuoga, Media Institute
6. Karuti Kanyinga, Technical Assistance Team of Donor Steering Committee
7. Rose Lukalo, Africaonline
8. Mildred Moraa, IDRC Research Assistant
9. George Mukundi, Research Assistant

Others interviewed

1. Tirop Arap Kitur, Coordinator, Release Political Prisoners Pressure Group
2. Antony Njui, ECEP
3. Tom Mogeni, TAT
4. Jacqueline Nyokabi, NGO Council
5. Abudalhi Abdi, Northern Aid
6. Susan McAntony, Northern Aid
7. Members of Kangemi Paralegal Network
8. Kenya Human Rights Commission

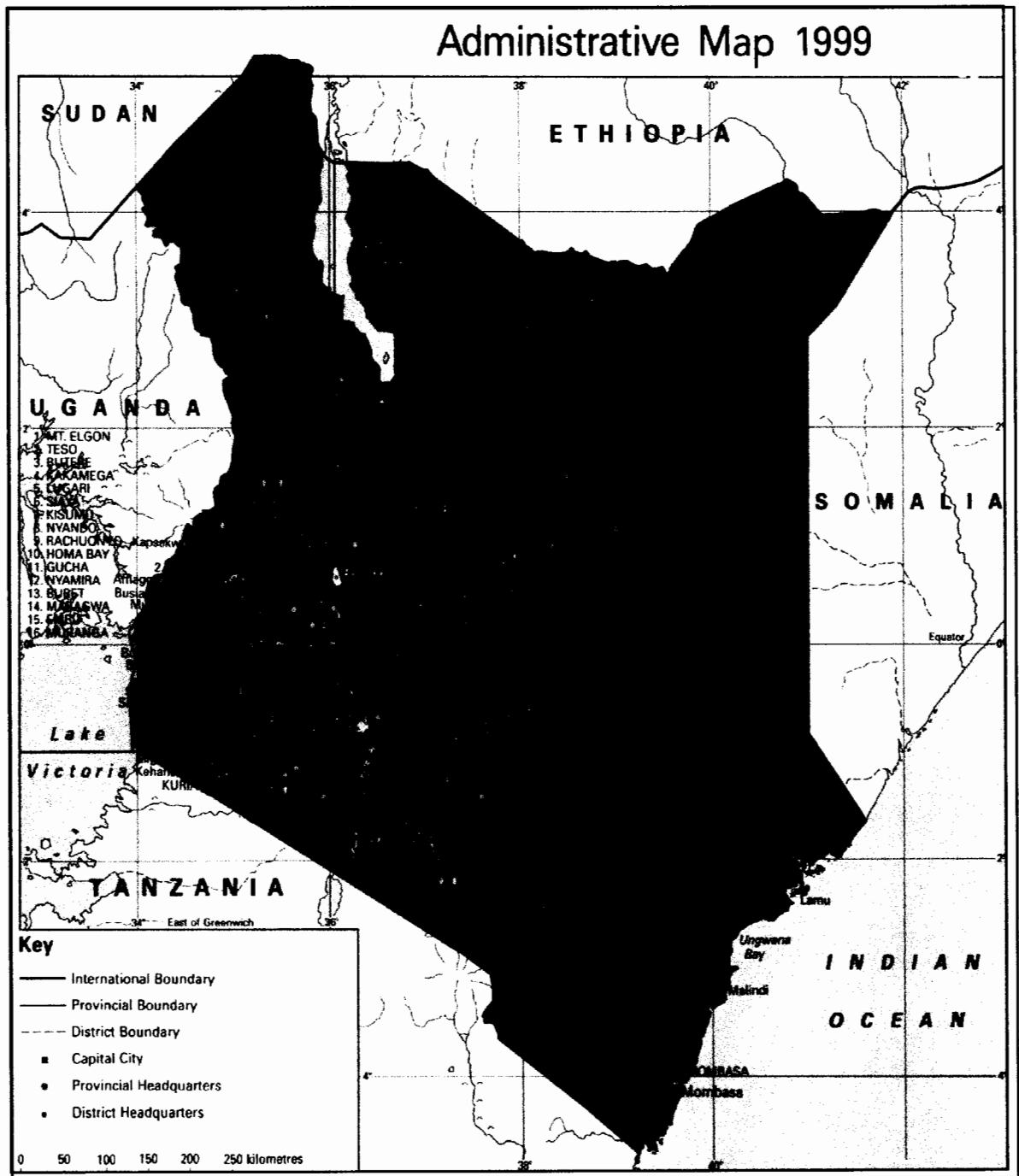
Annex 9 MAPS

Map 5.1 Distribution of Civil Society Organisations in Kenya 1963 to 1991



- Key**
- Distribution of CSOs in Kenya
 - Greater Density of CSOs in the districts

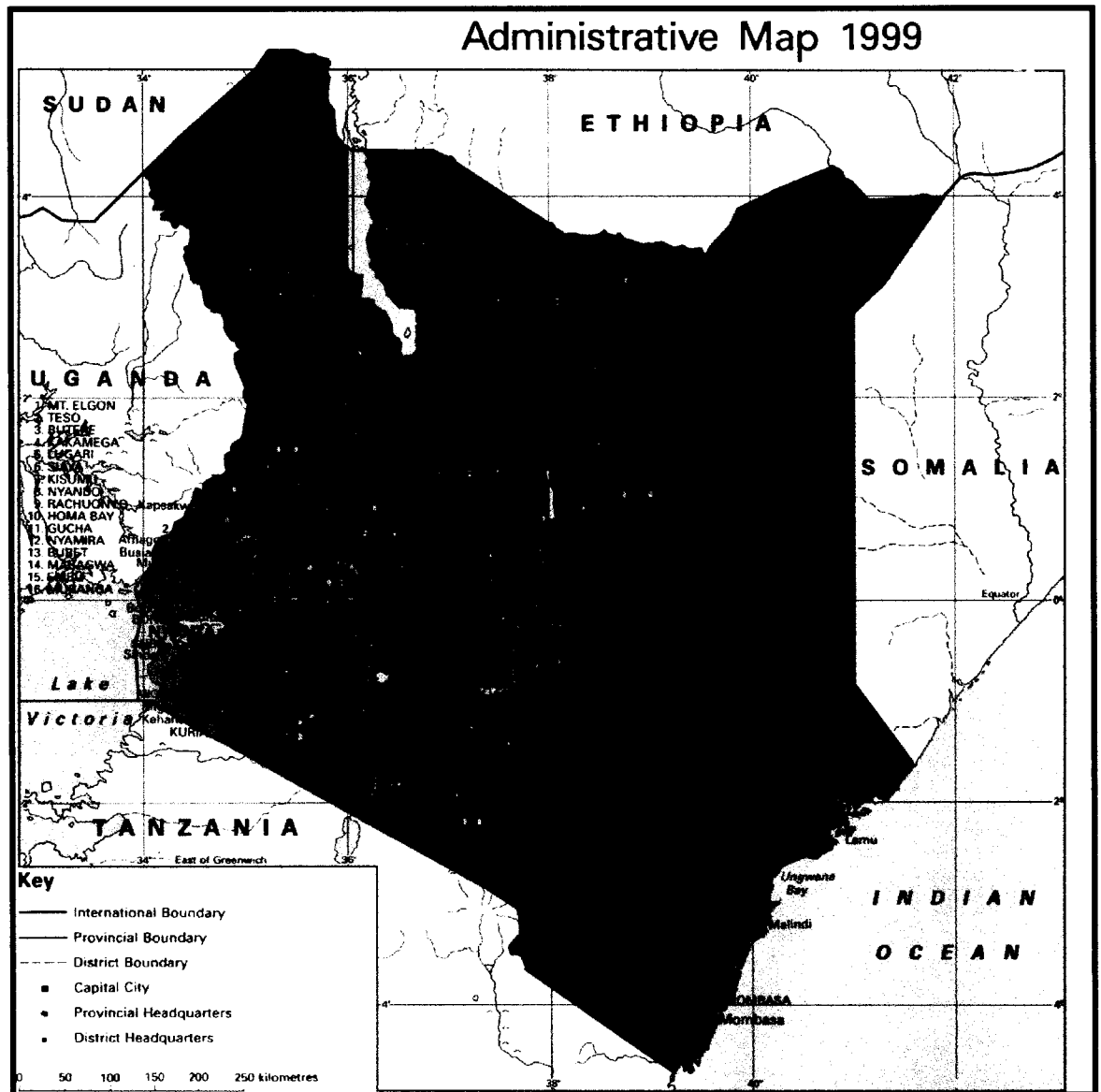
Map 5.2 Distribution of Civic Society Organisations and Civic Education Activities in Kenya 1991 to 1997



Key

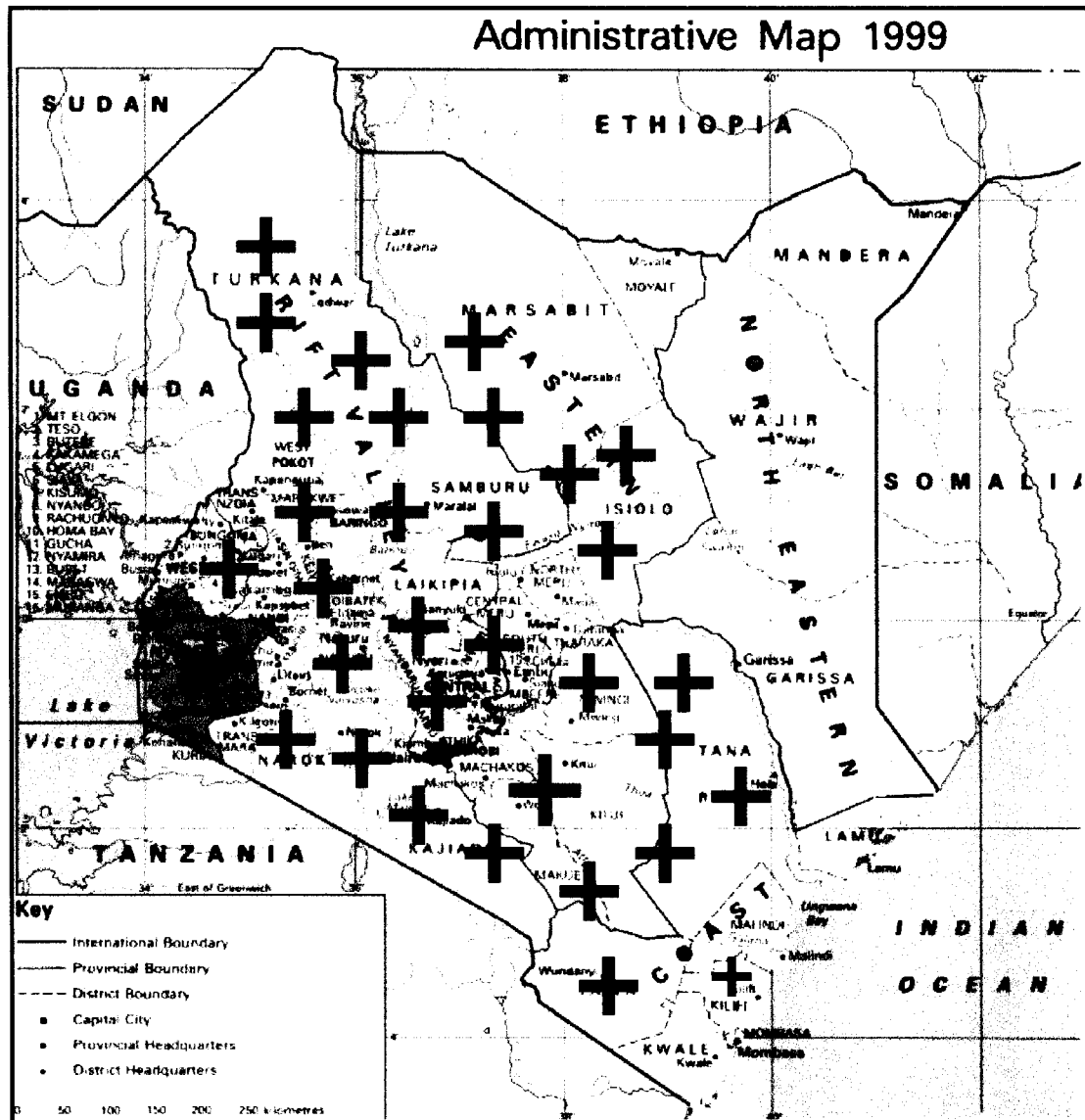
- Distribution of CSOs in Kenya
- Civic/Education Activities in Kenya

Map 5.3 Distribution of Civic Society Organisations and Civic Education Activities 1998-2001



■ Distribution of Civic Education in Kenya

Map 5.4 Distribution of Catholic diocese in Kenya in Proxy for Distribution of DEP/DELTA programme in Kenya (1993 to 1982)



+ Distribution of Catholic Diocese in Kenya

Annex 10 Bibliography

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www.icj.org

Since the programme started in 1974, several evaluations and reviews both internal and external have been conducted. Some of these have been done for the whole DEP/DELTA programme in Kenya, others have focused on DEP in several countries, while others still have focused on individual programmes. It will suffice here to identify key features of the impact of the DEP/DELTA programmes.

DEP/DELTA utilised adult literacy as a basis for transformation or conscientization. The evaluations revealed that when measured as a literacy programme, the DEP classes had quite a good record, out performing conventional ones such as those run by the government in the 1980s. An evaluation found that an average of 75% of those who attend the literacy classes passed the proficiency tests.⁹⁹

Overall the DEP's achievements and impact were located especially at the community level. The overall impact of the programme is presented below in point form.¹⁰⁰

It helped promote and mainstream development methodologies and principles that were participatory and put communities at the centre of development in new bottom up approach to development. Throughout the country, the programme helped produce a cadre of development professionals who had the practical and theoretical skills to work in the new development approach. Several civil society organisations have been formed by former TFT staff. These include Women's Resource Centre, COBADES, Neighbours Initiative Alliance and Premese Africa.

Delta training which included the modular training for transformation package developed by Hope and Timmel contributed to a new set of tools and techniques which contributed to the knowledge of how to work with communities in a participatory manner. The founder trainers went a long way to promote the accessibility of these tools and their use by development workers throughout much of the development world. DEP strengthened the participation of marginalised people in civic and development processes by giving them the opportunity and confidence to define their needs and wellbeing, articulate their rights and implement activities in pursuance of wellbeing as the defined it;

DEP work promoted the growth and development of civil society organisations and community institutions that promote greater opportunities for participation of the poor and marginalised in the formulation and implementation of development programmes. An example of the practical impact of DEP is presented below in the example of the Rombo Group Ranch.¹⁰¹

4.3.2 The Establishment of Kituo Cha Sheria

The University of Nairobi faculty of Law started the Legal Aid Clinic in 1973 with the aim of providing free legal assistance to those who could not afford to pay for it. It served the dual purpose of providing the students with the opportunity to interact with real life legal cases. Kituo cha Sheria one of the leading and oldest legal NGOs is the product of this University Legal Aid Clinic. Other than lay the foundation of Kituo, the University scheme helped introduce a different approach in the form of legal aid to the legal fraternity in Kenya.

⁹⁹ J. B. M. Kronenburg. (1986). P 116

¹⁰⁰ Nzungi N. Mukungi, (2001). *Prospects on the Development Education Programme (DEP) in Kenya*. P. 7/8

¹⁰¹ The DEP/DELTA programme and its impact is discussed in detail in J. B. M. Kronenburg (1986). P 116 -117, Jerry Crowley (1988) p 30-36, and Harley Johnson, C. A. C. International (1998). P 10-16

4.4 Impact in Moi Regime I (1978 to 1991)

4.4.1 The Civil Society Sector Introduces the Concepts of Governance and Democracy in Development

At the beginning of the Moi era, the DEP/DELTA programme initiated by the Catholic Church, which has been discussed above, was the most important civil society initiative. This era is characterised by the development of the indigenous civil society sector and its growing differentiation. This differentiation saw the development of the first civil society organisations dealing with governance and democracy as an explicit mandate. By the mid 1980s, civil society started to include and experiment with what are today known as democracy and governance issues. The formation of the Public Law Institute by the Law Society of Kenya and the National Council of Churches in Kenya (NCCCK) in 1981 (PLI started operations in 1983) represents this shift. The Law Society of Kenya was itself increasingly becoming vocal on governance issues.

Religious groups were the civil society actors that could speak up and be noticed by the authorities. As KANU continued to become increasingly repressive during this period, politicians were silenced one by one. Throup and Hornsby allude to the impact that religious based civil society organisations had during this era, when they state that,

“...[D]issent was transferred into those national institutions, which still retained an independent voice. With the trade unions muzzled and students harassed and repressed, only the main churches and the professional bodies, such as the LSK dared to speak. The various churches commanded tremendous respect at all levels of Kenyan society...henceforth liberation theology began to play a larger role, and Church leaders recognised that the NCCCK could sustain an anti government movement...”¹⁰²

During an era when oppression was over-arching, and few critics dared to raise their voices, the Church and some professional bodies used their position to keep the flame of democracy alive. Other organisations were then able to build on this legacy in the run up to the multi-party era.

4.4.2 New indigenous Civil Society Organisations that Focus on Democracy and Governance Issues

The National Council of Churches of Kenya (NCCCK) and the Law Society of Kenya (LSK) came together and formed one of the first independence era democracy and governance indigenous NGOs, the Public Law Institute (PLI) in 1981. The Institute was the first public interest legal institution in Kenya and was formed to promote the rights of the marginalised and the underprivileged in Kenya society. The PLI worked closely with the Development Education Programme (DEP) supporting DEP initiatives by providing legal education or legal aid to some of DEP's target communities. The Rombo Group Ranch was a beneficiary of such collaboration.

First, being the first independence era NGO addressing legal rights issues allowed it to serve as a point of focus for like-minded-people. A great deal of the work it did was very often pioneering. The value lay not necessarily in the impact of its initiatives but rather in the fact that it offered society a peek at an alternative perspective in a society that had become conservative by force of habit. Thus the Women Rights Awareness Programme of 1987/88 which launched a poster campaign against

¹⁰² D. Throup and C. Hornsby. 1998. Pg. 55.

violence against women generated considerable excitement and interest because such issues had rarely been raised so boldly in society.

In 1987 PLI became the first civil sector Organisation to take the Kenya Power and Lighting Company to court because it had raised tariffs without following procedures in the Electric Power Act of the time which required that before tariffs are raised, the public be informed through a 14 day notice period.

The enduring legacy of the PLI, however, has been its role as midwife in helping nurture and deliver individuals and new CSOs in the governance and legal rights sector among others. The legal fraternity has been a disproportionate beneficiary. Prior to the PLI, few lawyers felt that they could pursue careers outside of the private sector or the government. The PLI experience helped many overcome these psychological barriers and today lawyers play a significant role in managing rights based CSOs in Kenya. Organisations that have been set up by former PLI associates include the Kenya Human Rights Commission (KHRC), Kituo Cha Sheria, the Women Rights Awareness Programme (WRAP), the Legal Aid Programme (LEAP) and the African Centre for Technology Studies (ACTS).

4.5 Impact of Civic Education in the Moi Regime II (1991 to 1997)

4.5.1 Phenomenal Growth of the Civil Society Sector and Civic Education Providers

The growth of civic education providers can itself be seen as an impact of civic education conducted previously and from ideas related to governance and democracy becoming widespread throughout society. Evidence for this growth manifests itself in recent years in several ways. First, a comparative analysis of attendance at civic education meetings in 1994 and 2001 is telling. In 1994 when, the Institute for Education in Democracy (IED) held a meeting to discuss a common curriculum for civic education, it attracted 18 organisations and 37 individuals. A meeting by the National Consultative Education Facilitative Committee (NACEFCO) held in January 1999 for civic education providers on the other hand attracted 188 individuals from 150 organisations. In 1997, the USAID study documented 50 civic education providers while in 2001, the National Civic Education Programme (NCEP) is funding more than 100 organisations. The total number of registered civil society organisations is given by the NGO Board as 2,100.

This growth can be contrasted by information available on the CSO sector from before 1988 which has been gleaned from documented sources and from interviews with key CSO actors of that era. The Kenya National Council of Social Service (KNCSS) which was charged by government with registering NGOs and donors operating within Kenya before the formation of the NGO Board, had registered a total of 114 local NGOs out of a total of 482 NGOs that operated in Kenya at that by 1988.¹⁰³ Mazingira Institute in its directory of women's organisations in Kenya registered 57 women organisations with a focus, which included development organisations, professional bodies, co-operatives and religious organisations.¹⁰⁴ Of the total number of local NGOs documented, only two explicitly stated that one of their objectives was the provision of anything remotely related to civic education. The two were Public Law Institute and Women's Progress Limited both registered in 1981 and both providing legal education. Chapter 5.0 addresses the issue of growth in greater detail. Among the donors only one The Ford Foundation explicitly stated that it supported legal education.

¹⁰³ Kenya National Council of Social Services (KNCSS) (1988). A directory of (Non-Government) Voluntary Organisations in Kenya. Nairobi.

¹⁰⁴ Mazingira Institute (1985). A Guide to Women's Organisations and Agencies Serving Women in Kenya. Nairobi.

Second, the emergence of networks of civic education providers is evidence of further growth within the DG sector. The Human Rights Network started in 1992 and brought together civil society actors involved in human rights work. In 1996, Daraja emerged. Its membership was broader than that of the Human Rights Network; it reached out to all civic education providers. Since 1998, networks of organisations working on civic education around constitutional reform issues have increased. Four national networks, also called consortia were formed by CSO civic education providers from 1999. The four are listed below and the membership of each CSO is contained in Annex 5 in this report.

The Constitutional Reform Education Consortium (CRE-CO)

CRE-CO is a national multi-sectoral consortium of 27 civic education organisations whose objective is to undertake Constitutional Review Education (CRE) nationally. CRE-CO was formed in May 1998 after a meeting of the Civic Education Working Groups (CEWG) convened by the Legal and Human Rights NGOs Network and the Civil Society Committee on the Process of Constitutional Review (CSCPCR). The CRE-CO secretariat is managed by a programme Co-ordinator who works directly with a management committee.

The Kenya Women's Political Caucus (KWPC)

The KWPC was formed as a result of the Asiyu Affirmative Action Motion tabled in Parliament in April 1997. This is a broad-based national network of 43 women's organisations and 23 individuals (including 6 members of parliament) with a commitment to the promotion of a gender responsive system of government. A programme committee constituted under the auspices of the Caucus Focal Point will administer the proposed CRE activities.

Constitutional Education for Marginalised categories (CEDMAC)

CEDMAC is an organisation representing 17 organisations working with the marginalised communities of Kenya both rural and urban. CEDMAC was formed on February 1999.

The Ecumenical Constitutional Education Programme (ECEP)

ECEP was formed jointly by the National Council of Churches of Kenya (NCCCK) and the Catholic Justice and Peace Commission (CJCP).

A review of the sector reveals a growing range of issues that civic education providers are involved in, which is further evidence of the growth and maturing of civic education providers.

Table 4.1 Range of Issues in Civic Education Work

List of Range of Issues/Sectors Addressed by Civic Education Providers	
<input type="checkbox"/> Human Rights	<input type="checkbox"/> Legal Education
<input type="checkbox"/> Women's Rights	<input type="checkbox"/> Prisoner rights
<input type="checkbox"/> Voter Education	<input type="checkbox"/> Paralegal Programmes
<input type="checkbox"/> Election Monitoring	<input type="checkbox"/> Transparency and Anti-Corruption
<input type="checkbox"/> Anti-Torture	<input type="checkbox"/> The Constitution
<input type="checkbox"/> Rights of the Child	<input type="checkbox"/> Conflict Resolution
<input type="checkbox"/> Governance Issues	<input type="checkbox"/> Female Genital Mutilation
<input type="checkbox"/> Marginalised groups right (e.g. The rights of the Ogiek Community)	<input type="checkbox"/> Affirmative Action
<input type="checkbox"/> Governance issues in the private sector	<input type="checkbox"/> Economic Rights
	<input type="checkbox"/> Political Education

Source: National Civic Education Records, July 2001.

4.5.2 Growing Influence of the Civil Society Sector

Beyond the growth in numbers, a more important trend from 1992 can be found in the growing influence that governance and democracy related civil society organisations have gained on the national platform in Kenya, since the 1990s. The preceding chapter on the political climate and its impact on civic education and the CSO providers discusses this feature in greater detail. This section will reiterate that review of the political climate in Kenya revealed that before the 1990s, government was responsible for precipitating the change and crises that rocked the nation. Since 1991, however, there has been a change, civil society is initiating action that is leading to political change and even crises. Since the repeal of Section 2(A), which was a consequence of pressure brought to bear on the State by civil society, changes in the constitution have been at the instigation of civil society. In previous times, changes in the constitution were done by the state and for the state.

The basis for this CSOs successful action has been civic education both organised and unorganised. Through civic education, CSOs have made available alternative sources of information and mobilised the public to initially support the calls for a multi-party state beginning in 1991. Subsequently civic education has been used to maintain pressure on government that has led to greater democratic space generally. Even though the government has found new ways to fight back, people all around the country gained the confidence and become emboldened to "revolt" and to start to defy authority, making the conditions and systems, which had kept them, cowed particularly from 1982 untenable. This pattern became established throughout the 1990s and continues today. Civil society has become effective in demanding change from the government and obtaining a response.

4.5.3 Growing Assertiveness

Before the beginning of the multi-party era, Kenyans were on the whole criticised continuously for being unassertive or apathetic. This characteristic was a constraint in many ways. Development agents and organisations experienced difficulty in recruiting the proposed beneficiaries of projects to participate actively in their implementation and management.

On the political front, outsiders repeatedly expressed surprise at the tolerance of the Kenyan public in the face of the excesses of their leadership, who routinely violated people's rights at will, and abused their powers. Throup and Hornsby confirm that over time the Moi regime came to rely on this characteristic as a means of maintaining power. "... The regime increasingly seemed to depend upon popular apathy and fear of the security forces..."¹⁰⁵

Participatory community mobilisation and education approaches such as civic education were developed as one of the arsenal of approaches that aimed at encouraging participation.

Today one of the impacts of civic education has been the growing assertiveness, which is developing in all spheres. Civic education providers report that the most successful civic education initiatives are those in which the individual is "transformed". This "transformation" is similar to the conscientisation process that is one of the objectives of the DEP/DELTA training programmes. The transformation allows individuals within a group to see themselves as capable of action. In early 1991 this transformation became evident all over the country in small and big ways and developed into what can only be seen as "people power".

¹⁰⁵ D. Throup and C. Hornsby (1998). *Multi-party politics in Kenya*. East African Educational Publishers, Nairobi, Kenya. Pg. 50.

Individuals and groups started to defy the dreaded, repressive all seeing administration and chiefs by openly making the two finger sign that made clear that they supported calls for a return of Kenya to a multi-party state. Newspaper reports of the time are full of acts of defiance committed by ordinary people. As a sign of the people's displeasure with the president, people started to stay away from national day celebrations and the president was forced to address sparse audiences. The same people who were staying away from the president's rallies, were attending opposition events and even civic education classes even when the authorities were against such events and warned the public of dire consequences of attending. Since then, people have continued to actively participate in rallies, meetings, protests and civic education itself, even when the authorities have been against such events and activities. It is this show of "people power" that has often forced the authorities to abandon unpopular positions. The minor and major constitutional review processes are evidence of how influential this people power has become.

Local community groups are also becoming assertive. For example, the forest dwelling Ogiek community has resisted government efforts to move them out of their ancestral forestland. The community has identified and used several CSOs to advocate for land law and policy reform that will protect rights to their ancestral forestland. In 2000, the Ogiek community working with several NGOs including Kenya Human Rights Commission and the Catholic Justice and Peace Commission of Nakuru took their case to court.

In March 2001, the Kangemi Paralegal Network located in a high-density poor suburb of Nairobi, mobilised the community to demolish a barrier that had been erected on a public road by the Lavington North Community Association. (This Association is made up of some of the wealthiest and influential people in Kenya, both local and foreign.) Such barriers have become a common feature in various city estates. They are supposed to be security measures in response to the deteriorating security situation. However, sometimes as in this case, the neighbourhood association places guards with intentions to prevent pedestrians from using a public road, which is illegal. Action taken by the Kangemi Paralegal Association against the Lavington North Community Association also reveals efforts that contribute to greater democratisation among different classes in Kenya Society.

Neighbourhood associations have emerged in many urban areas in protest against the government's inability to reign in crime and the inability of local authorities to provide with services, collect garbage and maintain infrastructure, despite the taxes and rates they pay. In Nairobi, Karen-Langata areas and Kangemi, neighbourhood associations have obtained court orders to prevent the local authorities from demanding rates for services that the authorities no longer provide.

4.5.3 Growth of Community Based Groups Addressing Human Rights, Good Governance, and Democracy Issues

Civic education providers report the development of community based organisations which are devoted either wholly or partially to human rights, good governance, and human rights issues as a consequence of the civic education that they received from the civil society organisations. Providing civic education to other members of their communities is one of the activities that these organisations engage in. The following are illustrative examples.

As a result of the Legal Resources Foundation's human rights programmes in Kangemi and Makuyu, those trained as paralegals have established community groups, called Kangemi Paralegal Network and Makuyu Paralegal Forum, which are involved in provision of basic legal aid as well as civic education to the community. The initial trainees have since identified other community members and trained them as well. These groups are registered by the government as self-help

groups. They have acquired capacity to raise external funding, and establish a small secretariat—both of them have been contracted to provide civic education by the National Civic Education Programme. Similar work by the International Commission of Jurists in Meru and Kitui has spawned community groups working on human rights, good governance, and democracy issues at the local level. The Kenya Human Rights Commission shelters community based human rights in Mombasa, Isiolo, Marsabit, Moyale, and elsewhere, which grew out of the Commission's work in those areas.

4.6 *Impact of CSOs and Civic Education on Moi Regime III (1998 -2001)*

4.6.1 *Policy Reform and Legislative Change*

As the imprint of civil society organisations has continued to grow in impact, their ability to influence national and institutional policy reform and legislative change has grown apace. This trend is becoming particularly evident in the Moi Regime III (1998 to 2001). Again in this context civic education for mass mobilisation in support of reforms or legislative changes has been important. Its importance can be captured in the example of Kenya Human Rights Commission's campaign to bring the appalling conditions of Kenya's prisons to the public and to policy makers (1998 to 2001).

This campaign has included setting up an Ex-prisoners Forum, which has brought together 30 prisoners from around the country to share their experiences in the presence of prison officials. As a consequence, KHRC was requested to deliver a presentation on the prison conditions before the Parliamentary Committee on the Administration of Justice and Legal Affairs.¹⁰⁶

The Release Political Prisoners Organisation (RPP) has had considerable success in its efforts at legislative reform. RPP is one of the new organisations, which can be defined as a special interest group. This organisation has been denied registration by the government. To overcome this legal hurdle, it operates as a programme of the Kenya Human Rights Commission (KHRC). The RPP emerged to respond to the plight of political prisoners who were imprisoned as a consequence of repressive laws including the law that allowed detention without trial before the multi-party era which began in December 1991. Although RPP has a narrow focus, it actively networked with other organisations such as political parties, pressure groups and other NGOs. RPP achieved a number of successes. Fifty-two political prisoners were released through the courts.

In 1992 the RPP were extremely successful in mobilising public opinion by co-opting the mothers of political prisoners. These mothers were to play an important symbolic role in the fight for multiparty politics when they stripped naked and faced down police men who had been sent to stop their hunger strike and clear them from "Freedom Corner" in Uhuru park. The pictures of the police officers running away from the naked old women was beamed by the international media all over Kenya and did much to win both national and international support for the pro-democracy forces.

In 1997 during the minor constitutional reform that came to be known as the Inter-party Parliamentary Group (IPPG I and II), the RPP with support from other civil society organisation succeeded in getting, several repressive laws repealed while others were introduced to control the police force and administration. Under IPPG new laws for the police were introduced to promote the idea of a police force which would be politically neutral.

IPPG II (1998) repealed the infamous law that allowed detention without trial, which had been used to good effect by both the Kenyatta and Moi regimes against opponents.

¹⁰⁶ Kenya Human Rights Commission Annual Report. 2000-2001. Pg. 9

The International Commission of Jurists (Kenya Section) Annual report entitled, "State of the Rule of Law in Kenya - 2000", reveals an important emergent trend in the co-operation between independent minded opposition parliamentarians and civil society organisations. This trend has seen co-operation between the two groups that has had the result of several private member's motions being brought before parliament successfully. The importance of the motions is that if enacted they would have considerable impact on human rights and the rule of law. The ICJ report alludes to the upstream effect of civic education efforts when it states the following, "...This year has demonstrated that better informed parliamentarians who are willing to build working bridges with civil societies, can add immeasurable value to human rights, democracy and the rule of law..."¹⁰⁷

Six private members motions and bills which represent co-operation between civil society are presented below. It is important to note that before the current parliament of 1997 - 2002 only one other private member's motion had ever been passed into law. This was the Hire Purchase Act brought by the late J. M. Karuiki in 1972. The amount of work and resources required to develop a motion has been a major stumbling block for individual members of parliament working without support.

4.6.2 List of Private Members Motions

A motion for the **abolition of the death penalty**. The motion was defeated in the House in September 2000. The government did not support it. (Some of the information that was used to develop this motion was made available from research and other work conducted by the Kenya Human Rights Commission.)

A motion for the enactment of the **affirmative action law**. The law calls for positive discrimination in the creation of opportunities for hitherto marginalised individuals and groups, especially women. The government intends to vote against it. (Much of the work that went into developing this bill was done by women's CSOs such as FIDA and the Women's Political Caucus.)

A Bill for the enactment of a **Domestic Violence Act**. Among other things the new law will, if passed, provide for the compensation of women victims of domestic abuse. (Women's NGOs such as FIDA, Coalition Against Violence Against Women COVAW, and the Women's Political Caucus lobbied and contributed to the development of this Bill.)

A motion for the enactment of a **freedom of information law**. The law will liberate information from official secrecy. Government side does not support it. (The ICJ helped develop this motion and campaigned with the public through use of brochures, T-shirts and meetings with national level stakeholders.)

A motion for the establishment of a **truth and peace commission**. In mid 1998 a motion to establish a Truth and Peace Commission was passed but instead, the President pre-empted the Commission by appointing a Commission of Inquiry (under Cap.102 of the Laws of Kenya) into the land clashes chaired by Justice Akiwumi. The report was submitted to the President but has never been made public.

The proposed **Anti-Corruption and Economic Rights Bill** was moved by a committee chaired by an opposition member. The published draft has however, been watered down and gives

¹⁰⁷ International Commission of Jurists (Kenya Section) Annual Report. *State of the Rule of Law in Kenya - 2000*

the President more control in the appointment of Commissioners. The Bill is likely to be passed according to ICJ.

Several other laws that were initiated with civil society support have been passed by parliament these include, the Family Protection Act. Today civil society is incorporated into the Attorney General's task forces.

FIDA on the other hand takes a different approach to legislative change. Its Legal Aid Programme, handles test cases in order to set precedents in cases of women's rights abuse. Several such cases have been brought to the courts, some of which have received wide press coverage. These include the Masai woman who took her husband to court in 1997 because he had been beating her. Although she lost, the extensive press coverage that the case generated helped to introduce issues of domestic violence to the public.¹⁰⁸

4.6.3 Effective Demand for Constitutional Change Created

The on-going process of Constitutional reform is a product of many forces. Civic education providers can stake a claim to it alongside other actors. Civic education providers have played two roles in this process. First, they have provided civic education on the Constitution. Secondly, they have provided alternative perspectives to that of the government and politicians on issues related to constitutional reform. In 1994, the Law Society of Kenya, the International Commission of Jurists, and the Kenya Human Rights Commission released a draft Constitution "*Kenya Tuitakayo*", that sparked widespread debate on the subject at a time when the movement towards reform was still weak. Civic education providers have pointed out flaws in the current legal framework for the Constitution of Kenya Review Commission and called for amendments. Further information on this issue is provided in chapter 2.0.

4.6.4 Impact on upstream institutions and communities government, private sector, donor community

Few civic education providers explicitly define their work with upstream organisations and institutions as civic education. Despite this definitional issue, these upstream organisations are being impacted and changes in attitude, perceptions and even behaviour is discernible. The upstream organisations in the context of this study include, private sector organisations, national institutions such as components of the government, political parties and external institutions such as donors. Targeting these upstream organisations is important because they can also play their part in creating room for participation for the communities and others who may be marginalised from decision making in these institutions.

4.6.5 The Private Sector: The Del Monte Campaign

In 1999 a campaign to improve the abysmal working conditions of Del Monte Workers was started internationally. In Kenya, Kenya Human Rights Commission spearheaded the initiative against the local company. The campaign members formed a group which was called the Solidarity Committee with Del Monte Workers which included human rights NGOs, trade unions representing workers at the multi-national's subsidiary in Thika, Del Monte Kenya Limited (DMKL).

The campaign exposed the poor working conditions of the workers at DMKL. The Solidarity Committee negotiated for improvements of workers conditions using a variety of approaches

¹⁰⁸ South Consulting. *Kenya Civil Society Programme: Review of Access to Justice Projects*. July, 2001. Pg. Annex 3. Pg. 2

including civic education. The campaign was successful and came to an end in 2001 after the DMKL agreed to sign a memorandum of understanding. Some of the successes include,

- Improvements of worker's rights,
- Issuing of protective clothing and equipment for workers handling pesticides
- the upgrading of 1,500 seasonal (temporary) workers to permanent worker status
- Improvement of housing

DMKL has started programmes aimed at supporting the local community of Ndula e. g. provision of water and improvement of a local school.

4.6.6 National Institutions

FIDA in this respect through its Gender Violence/Legal Awareness Programme launched a programme in 1994 to improve the status of women by reducing gender violence after consultations with various law enforcement agencies such as the Police and the Attorney General's office. The police agreed to participate and police officers have received an assortment of training aimed at helping improve their ability to handle cases of gender violence more effectively and with greater sensitivity.¹⁰⁹

4.6.7 The Media

Civil society involvement in the media sub-sector and with media houses is one of the recent developments within the DG sector. Individuals from the NGO sector have columns and write regularly for various newspapers. Newspapers have collaborated with CSO organisations to campaign and create awareness around certain human rights issues in 1997. The *East African Standard* launched an anti-rape, anti-sexual assault campaign together with FIDA. The campaign allowed the public to support the campaign by registering their names. The campaign run for several months and carried stories of victims and perpetrators of rape. It was informative and served to go beyond normal media approaches to stories by devoting time and resources for comprehensive coverage of the nature of rape and sexual assault in Kenya.

Several NGOs have been formed with objectives to write on development issues from progressive perspectives. These NGOs have been formed by journalists and have played an important role in creating links between civil society and the media. One of these new media NGOs called African Women and Child Feature Service has embarked on several activities aimed at influencing the perspective of the media houses to various issues. In March 1998, for example, AWC organised high level media training and consultations for editors to address the portrayal of the media of the so-called ethnic clashes which had preceded both the 1992 and 1997 general elections. The training session found that the media had been guilty of the following among other issues.

"...The media are guilty of allowing ethnic violence and tensions to drag on and build up to the proportions it reached...

Media rely heavily on the reality presented by politicians and others with a public voice and consistently fail to investigate facts for readers or to seek alternate views....

Media have contributed to the deterioration of the national psyche and have reinforced Kenyans perception of themselves as tribal entities....

Media have been lazy about deconstructing language that masks reality...." 110

¹⁰⁹ South Consulting. *Kenya Civil Society Programme: Review of Access to Justice Projects*. July, 2001. Annex F. Pg. 2.

¹¹⁰ Findings of African Women and Child feature Service. 3rd Editor's Roundtable, Hilton Hotel, Nairobi, March 11, 1998.

4.6.8 The Donors

Over the years, the donors have also gained from working closely with the CSO civic education providers and their target communities. They have gained an expanded knowledge of what constitutes successful and unsuccessful civic education and so can work with the sector rather than work against it. This is evidenced by the development of LiMiD and the support towards the formation of the National Civic Education Programme (NCEP) among other areas.

4.6.9 Impact of CSOs and Civic Education in Promoting the Rights of Women

Historically gender has taken centre stage among civic education providers for three reasons. First in the early days of civic education during the 1980s, gender was an area of focus because women were viewed as being non-threatening by the government. A gathering of women even when they were learning their legal rights was tolerated by the administration. Second women were more accessible than men because they were already organised into groups for social and economic purposes.¹¹¹ Third, the development sector had "discovered" women in the 1970s after recognising their role in development and the need to include them if sustainable development was to be achieved. Focus on women then became an automatic component of many sectors within the development world.

By the time the USAID civic education study was conducted in 1997, women were still prominent in the civic education field. One of the key findings of this study was that about 50% of civic education programmes focused on women as either targets of training or provided training with content on gender or women's rights. Further, in terms of impact of civic education, the same study found that the area of gender was one of the few areas that those who had received civic education specifically attributed new knowledge and new perceptions. This pertained to both men and women. Some male beneficiaries stated for example that the civic education training that they had received had enabled them to recognise that women too could become leaders. While for women, the training, enabled them to understand that there were no legal barriers that prohibited them from seeking political leadership, only cultural barriers.¹¹²

4.7 Growth of Women's Institutions

A review of impact of civic education in relation to gender reveals a whole spectrum of achievements from local level to policy level. The growth that the CSO sector has experienced has also been seen among women based organisations. Much of the impact of this growth has been in new national and regional level organisations with women's rights as their focus.

In sectors such as agriculture and at the community level, women are well organised particularly when compared to their male counterparts. However, at national level and in sectors such as the public sector and political arena, the reverse is true. It is men who are organised, and women have never been able to harness their grassroots counterparts in support of national issues or in support of women's candidates for parliament. Thus despite the fact that women make up the majority of voters, national level women leaders and institutions have never been able to capture the support of these voters for women based issues or candidates. In fact cultural traditions which support male leadership have enabled men to routinely harness and mobilise grassroots women in support of male led initiatives and agendas. The non-competitive political environment monopolised and

¹¹¹ These two points are supported by the USAID Civic Education Study of 1997.

¹¹² Ibid.

controlled by the state further undermined women's efforts to organise in support of their issues. The result has been a "fractured" women's movement which is famous for being a collection of individuals and organisations which together are less than the individual components.

The challenge for women has been the need for new thinking reflected in the establishment of a host of new organisations with women rights as their objective. Some existing organisations have incorporated rights based issues in their portfolio. A list of women's organisations and their focus areas and location is presented as annex 3 below.

4.7.1 Gender, Political and Legal Reform

Kenya's second multi-party election of 1997 illustrated the significant progress that women had made in their ability to demand and negotiate formally for their rights within civil society itself as well as with the political establishment and the ruling party KANU government.

On the political sphere, there were more women candidates for parliamentary and civic seats than there had been before, while the first woman presidential candidate stood and came 4th with over 500,000 votes. In the 1992 elections, 19 women were nominated by various parties to contest parliamentary seats. 6 women were elected and one was nominated. In 1997, a total of 150 women declared their interest to run for elections, 47 were nominated by their respective seats and six won their seats while 5 more were nominated. Although these figures are still low they do represent some gains as before multi-party politics there were only ever a total of two women in parliament at any one time, while the women candidates in total that participated in all 6 previous elections did not exceed 40.¹¹³

Organisations such as The League of Kenya Women Voters (LKVV) and Education Centre for Women and Development (ECWD) played a role in encouraging women to stand for elections by providing civic education to the general public aimed at breaking cultural barriers that women politicians face in Kenya. Although only five women were elected as members of parliament, women registered their presence more than at any other general election. The greatest gains made were at the civic level, where an unprecedented number of women were elected. Several towns elected women as mayors. These women mayors owe their elections to civic education programmes, which gave them the confidence to stand as candidates in the first place. Sensitisation of men in their areas also helped men overcome cultural barriers to women leaders and to vote for women to become mayor. Examples are the mayor of Embu, Voi and Kitui. In Embu town, the woman mayor benefited from the civic education and paralegal training programme that had been implemented by the Catholic Church from 1992. In Kitui town a woman Mayor was elected because of the influence of Charity Ngilu the 1997 woman presidential candidate.

From 1997, women were able to achieve progress in legal constitutional and administrative changes as well as the formation of coalitions and networks, which they used to champion their causes. Civic education was an effective tool employed by women to raise awareness and to harness support from the grassroots.

Among the most important vehicle that was formed by women to champion their political interests at this time was the Women's Political Caucus. The Caucus was created by women under the leadership of a highly respected former woman member of Parliament, Hon. Phoebe Asiyo. The impetus for forming the Caucus was the failure of the Affirmative Action Motion, which was brought

¹¹³ Figure compiled from records from the Institute for Development in Democracy. (July 1997). National Elections Data Book Kenya 1963 - 1997. Nairobi.

by women to parliament on 30th April 1992. During the negotiation for constitutional reform particularly in 1998, women led by the Caucus played an active and crucial role.

4.8 Growth of Wide-body of Knowledge/Research Economic Rights

The economic sector is one of the areas that has experienced the impact of the CSO sector and civic education in particular. In recent years, the economic sector has experienced liberalisation, which has allowed the participation of new groups and organisations in different aspects of the sector. CSOs have been able to participate in providing intellectual leadership in the form of information and analysis for the sector. CSOs have also provided neutral venues for different groups to come together and to discuss economic issues as they affect them. The unlikely effectiveness of the CSOs in this sector has arisen from the fact that they are able to make economic issues accessible to the general public and to policy makers who may not have the education to understand the sector with ease. The CSOs have been able to translate inaccessible economic jargon even as they bring issues down to the level of ordinary people.

Previously the role of providing intellectual leadership was undertaken by government or by universities or international institutions. In referring to this phenomenon, Jerry Crowley notes, "...Development pulse-keeping at this stage of Kenya's national life had been largely in the hands of an expatriate academic elite..."¹¹⁴ Home grown NGOs with expertise in economic analysis such as the Institute of Economic Affairs (IEA) IPAR, Kenya Women's Finance Trust and the Centre for Governance and Development (CGD) is evidence of this growing trend. They have served to radicalise the sector by linking economic issues with concepts such as good governance, justice, democracy and the rule of law. The quality of their publications and the growing influence of their initiatives has become evident in recent times.

In 1998 CGD managed to create avenues for national level discussion of the economy. CGD began this process by organising a meeting to discuss the ailing economy for members of parliament with participation from all political parties. The meeting was well attended attesting to the credibility that CGD had developed since its inception in 1995. The meeting initiated a furore within the ruling KANU party because it took the initiative to discuss economic issues away from it. The KANU government was forced to start addressing the economic decline at least in rhetoric.

The Institute of Economic Affairs undertook the Kenya Scenarios Project in 1998 and 1999. This project has been extremely influential in bringing together groups and policy makers to visualise possible pathways into Kenya's future and what might happen over the next 20 years based on policy decisions and other actions taken by major players. The presentation of the Scenarios project brought together captains of industry, representatives from different political parties, government, CSO representatives both from the NGO and religious sectors and prominent citizens and members of the international community. This broad-based participation was a sign of how well regarded IEA is across the board.

These two projects can be seen as providing intellectual leadership while at the same time undertaking "civic education" among groups that are not traditional recipients of this type of education. Today economic issues are discussed widely. CSOs can secure funding to address these issues with much greater ease from the donor community because the initiatives of the last few years have helped educate donors as to the scope that exists for CSOs to contribute towards economic governance.

¹¹⁴ Jerry Crowley, (1988). *Go to the People: An African Experience in Development Education*. CAFOD. London. p. i.

But it is probably at the local or community level, that these economic sectors CSOs have had their most important intellectual contribution. Liberalisation in the 1990s took place in many sectors. An example is the tea sector. As in other sectors in Kenya, the sector has a body called the Kenya Tea Development Authority or KTDA Authority charged with management and marketing of tea among other roles. The KTDA was established in 1964 under Section 191 of the Agriculture Act.

As in other aspects of agriculture in Kenya, small-scale producers are responsible for the bulk of tea production. On analysing the tea sector, *The Point* a bulletin of the IEA (Issue 20, April 1998) noted the following; "...The tea industry is full of contradictions. On the one hand, Kenyan tea has never been better. Indeed, the area around Mt. Kenya is reputed to produce the worlds finest and it is much sought-after internationally. The crop is currently Kenya's top foreign exchange earner.

And yet in the corresponding period, the standards of living and earnings of small-scale tea farmers—the backbone of the industry—have dropped dramatically. Complaints abound and the phrase "languishing in poverty" has entered the lexicon of people who must be among the most hardworking in Kenya...."¹¹⁵

Since its inception in 1964 KTDA has achieved impressive results. The number of small-scale farmers have increased from 20,000 in 1964 to 300,000 in 1997. The sub-sector has grown from 4,000 ha. to 100,000 by 1997. In 1964 KTDA had only one factory, today there are 45.

Yet from 1995 the small-scale farmers were in a state of revolt which turned bloody in several places including Kirinyaga, Embu, Meru and Nyeri districts. A tea-picking boycott from February 2nd to 20th 1997, led to losses of Kshs. 15 million per day. In the IEA report, the growing militancy among small-scale tea farmers is seen as a product of the times. The 1990s with political and economic liberalisation were defined by demands for justice, democracy, and good governance. The militancy is also the product of information reaching the small-scale farmers from sources other than the KTDA. This information came from CSO organisations, the media and from a new Organisation that was formed to champion the small-scale farmers. This was called KUSSTO. The information served to help farmers demystify the national and international tea marketing and to help them understand the importance of their role vis-à-vis the sector and its contribution to the Kenyan economy.

4.9 Development of Support Services for Civic Education

The growth of support services for civic education is itself an impact of civic education. The support services take two principal forms, examples here both relate to new methodological approaches for delivering civic education.

The example of participatory theatre is a case in point. The pioneering work of the Legal Resources Foundation in participatory theatre for rights education opened a new dimension to theatre. In 1994, the Legal Resources Foundation produced a participatory play, *The Cut*, on domestic violence. It was well received.¹¹⁶ Over the years, participatory theatre has become a key component of the civic education programmes run by the Centre for Governance and Development, Clarion, and the Kenya Human Rights Commission. It is because of the success of this medium that the National Civic Education Programme has adopted theatre as a key methodological approach in its programmes. CRECO, one of the consortia under this programme, is developing participatory theatre pieces. The

¹¹⁵ IEA. April 1998. *The Point*. Issue 20. Pg. 1.

¹¹⁶ Refer to the *Daily Nation* review in 1994.

adoption of theatre by civic education providers has not only enriched the medium itself but also created a source of livelihood for artistes.

CHAPTER FIVE

5.0 MAPPING OF CIVIC EDUCATION IN KENYA: 1963 TO 2001

5.1 Overview

The purpose of this mapping exercise is to organise information about civil society organisations and civic education in a way that will make it useful to assess the developments from 1963 to 2001. Mapping will include geographic maps which will be used to present information graphically (see annex 10). The maps will be used to identify and organise some important trends within the CSO sector over time. Matrices are also employed to capture comparative information for different political eras. Although some uniform information is presented that allows for some comparisons to be made of the civil society organisations in the different epochs, the section also identifies and discusses issues and features that were pertinent in a given epoch. Needless to say these issues differ from one era to another.

The chapter begins by identifying constraints faced in conducting the mapping study. The legal regimes under which civil society organisations have registered since 1963 are also presented. It is important to note that different terms for referring to the sector have been in popular use at different times. Thus from 1963 to 1988 the sector was variously referred to as the Non-government, voluntary or not-profit making and non-partisan sector. From the Mid 1980s to the end of the 1990s, the term most commonly used was Non-Governmental Organisation (NGO), while the late 1990s to present has seen growing popularity of the terms civil society and civil society organisation. To remain consistent with the rest of the study, this chapter is divided into the same time periods as the rest, these are Kenyatta Regime (1963 to 1978), and three Moi Regimes, (1978, to 1991, 1992 to 1997 and 1998 to 2001).

The categories of data which will be used in developing the maps and other forms of information for tracking developments within the CSO sector and the democracy and governance sector in which the methodology of civic education is located, are presented below.

- Total number of registered civil society organisations
- Total numbers of CSOs registered within the democracy governance sub-sector
- Geographic spread (1963 to 2001)
- List of CSO sub-sectors (1963 to 2001)
- List of donors (1963 to 2001)
- List of donors supporting DG CSOs and civic education (1963 to 2001)

5.2 Constraints of the Mapping Study

A mapping study of civic education has had its challenges because of the problems that have been discussed in detail elsewhere. These include questions of definition and are further compounded by lack of comprehensive information on all aspects of civic education and CSO providers in all time periods. Other challenges emanate from the changes in numbers of administrative units referred to as districts in Kenya, in recent times. Kenya is divided into 8 provinces, which have remained the same since independence in 1963. These are listed as Coast province, Eastern province, North Eastern province, Central province, Nairobi province, Rift Valley province, Western province and Nyanza and. These provinces are divided further into districts. Until 1992 the number of districts

had remained unchanged at 41. From 1992 many more districts were created and continue to be created, some have been gazetted and are thus legal while others exist only in name. This state of affairs means that it is now difficult to state just how many there are. For the purposes of this report, the old districts will be used throughout regardless of the era under discussion.

5.3 Legal Regimes Governing Civil Society Organisations in Kenya 1963 to 2001

In Kenya, civil society organisations have been established through several legal regimes. From 1963 to 1991 most NGOs were registered under the **Companies Act** as Companies Limited by guarantee and not having share capital or under the **Societies Act** as societies or associations. International organisations incorporated outside Kenya, and having operations in Kenya were exempt from registration while those incorporated locally were given a certificate of registration. All registered NGOs were legally recognised as non-state institutions that are voluntary, non-profit making and non-partisan. As such they were exempt from taxation. All such entities including donors operating in Kenya were expected to register with the Kenya National Council of Social Service (KNCSS) which was founded for this purpose in 1964 by the government. The KNCSS can be seen as the predecessor of the current NGO Co-ordination Board. It was charged with among other things facilitating co-ordination among the NGOs themselves and between NGOs and the government. Other roles were of the KNCSS "...a promoter and facilitator of NGO Management Supervisory and organisational development through provision of research, training and information services..."¹¹⁷ The KNCSS management structure included a council with membership from its NGO constituency of 129 organisations including; NGOs, churches, clubs, institutions, welfare societies engaged in development.¹¹⁸

The **Non-Governmental Organisations Co-ordination Act** of 1991 became the principal legislation governing CSOs from 1991 to the present. Registration under this Act confers an organisation with a separate and distinct legal identity from that of its members. A registered non-governmental organisation is able to sue or be sued in its name as well as to hold and dispose property. When this law was enacted the government's intention was to bring together all voluntary, not for profit, entities under one regulatory regime, but this has not succeeded. This is because the registration process is slow. Many organisations which applied for registration several years ago have yet to be registered. Legal Resources Foundation for example applied in 1994 and to date have not been registered.

5.4 Growth of Civil Society Organisations and Civic Education (1963 to 2001)

5.4.1 Institutional and Capacity Development 1963 to 1991

The Kenyatta regime inherited institutions developed by the colonial government. In 1962, just before independence, an Economic Commission constituted to examine these institutions determined that they were too sophisticated and too expensive for the African government to manage. The immediate task of the Kenyatta government was Africanisation. This meant replacing the European and Goan general administrative cadre in the civil service with Africans. This task was undertaken soon after independence. The government moved fast; by 1967, 97% of the general administrative cadre within government had been Africanised.¹¹⁹ As an instrument to achieve Africanisation, training was considered vital and the Kenya Institute of Administration (KIA) was created in 1961 to carryout accelerated programmes for staffing the civil service.

¹¹⁷ Kenya National Council of Social Service (KNCSS) (1988). P. 46

¹¹⁸ Ibid. p. 48

¹¹⁹ Interview with Mr. W. N. Wamalwa who was Director of Personnel and Secretary to the Cabinet at the time.

During the Kenyatta and the first few years of the Moi regime (1978 to 1991), government was the focus of institutional development in keeping with development theories that prevailed at the time. The government was also the source of most development goods and services for the people and was responsible for provision of services, training, extension to farmers, marketing of farm produce and so on. The government's public education focus was on three issues, the eradication of poverty, illiteracy and disease. Government policy encouraged participation of civil society organisations and fledgling indigenous civil society capable of working at the national level soon began to form. By 1978 the number of Non-government voluntary organisations (as NGOs were referred to then) registered by the Kenya National Council for Social Services (KNCSS) were about 124 while the number of indigenous ones had reached 65. By 1987, the number of indigenous NGOs had risen to 118 and the total registered was 480. Most of these indigenous NGOs focused on social welfare and few had started to initiate developmental or relief programmes.¹²⁰

Of the 65 indigenous NGOs that existed in 1978, only three local organisations stated explicitly that they had or had had a political agenda in the past. As it happens all three were women's organisations namely, Maendeleo Ya Wanawake Organisation which was credited with having launched the political careers of many women leaders of the time, the National Council of Women of Kenya (NCWK and the East African Women's league (EAWL) which was formed in 1917 by settler women in Kenya. The EAWL revealed that upon formation, its first objective had been "... to ensure the right to vote was granted to women as well as men. This achieved, the League turned its efforts to influencing legislation concerning the welfare of women and children..."¹²¹ This number rose only slightly to five when two other NGOs were formed in 1981 that offered legal education. These were the Public law Institute and Women's Progress Limited.

By the end of the Moi era, in the late 1990s, many of the achievements of the Kenyatta regime that had been made towards developing government systems and national institutions had been seriously undermined. Government became known for its inability to manage national resources and soon the infrastructure which had been the pride of Sub-Saharan Africa had begun to deteriorate. In the civil society sector, the *Harambee Movement* was "highjacked" by negative political forces who now used it for their own purpose. *Harambee* soon lost its appeal when it became literally mandatory as the local administration and chiefs coerced people to "donate" very often even the little that they had.

5.4.2 Democracy and Governance Sub-sector Emerges and Civic Education Widely Used (1992-1997)

In 1997 the United States Agency for International Development (USAID) Kenya mission undertook a comprehensive study on civic education. This study reviewed the state of civic education and the nature of the civic education providers from 1991 to 1997. The study captured civic education providers, their beneficiaries, and donors. Information from this study forms the basis for many of the findings for 1992 to 1997.

The USAID study indicated that by 1997 there were over 50 non-religion based civil society organisations providing civic education in Kenya (a list of 36 of these organisations is attached as annex 1). This represents significant growth from the five registered by the Kenya National Council for Social Services (KNCSS) in 1988. The study also revealed that the majority of the CSO providers organisations had their headquarters in Nairobi. Out of the 36, which were the basis of in depth

¹²⁰ Kenya National Council of Social Services records from the directory of 1988.

¹²¹ Mazingira Institute (1984). Directory of Women's Organisations in Kenya "84. Nairobi. p18.

study, only one was based out of Nairobi. The majority of civic education programmes were, however, run primarily among the rural communities, where the majority of Kenyans live.

Chapter three entitled, *The Impact of the Economic and Political Environment on Civil Society Organisations and Civic Education in Kenya 1963 to 2001* and Chapter four on *The Impact of Previous Civic Education Activities in Kenya, 1963 to 2001* provides information on the growing influence of especially the DG sector of civil society and civil society organisations in Kenya during this time period. The DG sub-sector went beyond those organisations that used civic education to many old and new NGOs, which ventured into the political realm. This is the era when many of the now influential local DG NGOs were formed. These include, Kenya Human Rights Commission (KHRC 1992, Legal Resources Foundation (1994), League of Kenya Women Voters (LKWV), and Education Centre for Women in Democracy (ECWD), Institute for Education in Democracy, Civic Resources and Information Centre (CRIC) and many others. The DG sub-sector came to occupy a prominent place numerically and is estimated to have comprised 25% of all registered CSOs in Kenya at the time. The sub-sector became influential and gained credibility from taking a leading role in the struggle for greater democratic space in the country from 1991.

5.4.3 Growth of Civic Education and the CSO Governance and Democracy Sub-sector Linked to Constitutional Review (1998 to 2001)

The mapping of civic education in the 1998 to 2001 time period reveals trends that point to significant changes in how civic education is conducted who is involved and how it is funded. Many of the emerging trends can be attributed to the link between civic education and the constitutional review process. This link is the reason for the high national profile that civic education assumed during this time.

Overall the emerging trend was that the governance and democracy sector continued to grow and diversify in this era. Indeed it became difficult to distinguish between DG CSOs and others as many organisations became involved in DG issues as they responded to the opportunities that became available in this sector, emanating from the launch of the constitution review process by the government. The greater availability of funding for the civic education sector from increased donor funding further fuelled the growth. The total number of NGOs recorded in this era was 2,100 and of these anywhere from 100 to over 200 were recorded by various sources as engaging in civic education (over two hundred are listed in annex 2 of this report). Many more were involved in the DG sector. Map 5.2 in annex 9 and the information in tables 5.1, 5.2, 5.3 and 5.4 provide further data and information concerning the status of civil society in Kenya in general and more specifically those in the DG sector and those using civic education.

A distinguishing feature of this era is that there is a great deal of information available on civic education initiatives. This information is the product of concerted collaboration and co-ordination in a variety of ways. First, both donors and civil society organisations have formed a National Civic Education Programme (NCEP). Second, most of the CSOs providing civic education have come together and formed consortia. Third, most of the donors have also come together to collaborate in a joint funding and management effort. Fourth, the development of a common curriculum, reference and training manual was achieved through NCEP for the first time. Fifth, centralised systems and mechanism have been put into place for common vetting and funds dispersal, common monitoring and evaluation functions, documentation and record keeping and a centralised system that ensures that civic education activities are dispersed equitably around the country. What is evident from the prevailing situation between 1998 to 2001 is that civic education is a "directed or controlled" national level programme rather than a methodology or approach utilised randomly by some DG CSOs, as was the case before.

Table 5. 1: Growth of Civil Society Organisations, DG Sub-sector and Civic Education, 1963 to 2001

No.	Item	1963 to 1978	1979 to 1988	1991 to 1997	1998 to 2001
1.	Total number of registered CSOs	124	480	1,500*	2,100*
2.	Total number of registered indigenous CSOs	65	118	1,000 (estimate)	1,500 (estimate)
3.	Total number of registered DG CSOs	3	5	50	100 to 200
4.	Total number of CSOs undertaking civic education or legal/political activities	3	5	50	100 to 200

Sources: Kenya National Council of Social Services (KNCSS) 1988. USAID Civic Education Study, 1997 and NGO Council, NCEP mapping by Divisions July 2001.

5.5 Geographic Coverage of Civil Society Organisations in Kenya 1963 to 2001

From 1963 to 1991, the development of the civil society sector was such that during this time there was a presence of different types of civil CSO organisations operating in all of the eight provinces and most districts within Kenya. Map 5.1 annex 9 identifies the spread of civil society organisations in Kenya while table 5.2 lists the number of NGOs in each district from 1963 to 1991. Certain districts had larger numbers than others. The map and related information indicates that these were Nairobi (40), Machakos (14) each. Districts in the area known as Northern Kenya had very few NGOs compounding the effects of the poor presence of government.

Table 5.2: Geographic Spread of NGOs in Kenya by District, 1963 to 1988¹²²

No.	District	Numbers	No.	District	Numbers
1	Baringo	8	21	Mandera	1
2	Bungoma	9	22	Marsabit	9
3	Busia	10	23	Meru	16
4	Elgeyo Marakwet	6	24	Mombasa	10
5	Embu	14	25	Muranga	7
6	Garissa	4	26	Nairobi	40
7	Isiolo	4	27	Nakuru	16
8	Kajiado	13	28	Nandi	4
9	Kakamega	14	29	Narok	7
10	Kiambu	4	30	Nyandarua	4
11	Kericho	14	31	Nyeri	10
12	Kilifi	7	32	Samburu	2
13	Kirinyaga	3	33	Siaya	11
14	Kisii	10	34	South Nyanza	13
15	Kisumu	17	35	Taita Taveta	8
16	Kitui	17	36	Tana River	5
17	Kwale	5	37	Trans Nzoia	5
18	Laikipia	6	38	Turukana	7
19	Lamu	2	39	Uasin Gishu	5
20	Machakos	22	40	Wajir	3
			41	West Pokot	3

Source: Kenya National Council of Social Services (1998)

* The exact numbers are difficult to come by because a different legal mechanism had been introduced in 1992. It has been estimated that by 1997 there were over 1,500 NGOs.

* See annex 2 for list of 210 CSOs that use civic education.

¹²² Information used by this study available on CSOs from 1963 to 1988.

5.5.1 *Emergence of Civil Society Organisations and Civic Education Activities 1991 to 1997*

The map of Kenya depicting NGOs from 1991 to 1997 is very different from previous maps. From 1991 the DG sector becomes a presence and civic education is conducted in many parts of the country. Despite this growth, however, the map illustrates a key finding of the USAID study. The study revealed that a few ethnic groups dominated among the beneficiaries and that there was a direct correlation with the ethnic groups that dominated the civic education providers. Thus over 90% of the survey's sample were dominated by four ethnic groups namely, Kikuyu, Luo, Luhya and Kamba. The study points out that,

"... it is important to note that these ethnic groups also happen to be perceived as the "opposition tribes," a perception reinforced by the fact that all the leading lights of opposition politics and leaders with declared presidential ambitions are from these groups..."¹²³

5.5.2 *Geographical Coverage of Civil Society Organisations and Civic Education 1998 to 2001*

A feature of the civic education initiative of the time period (1998 to 2001) is that it is being centrally managed under NCEP and funded by LiMiD. One of the objectives of the programming of both LiMiD and NCEP is to ensure wide distribution of civic education across the country. This "directed" civic education has ensured that most districts are participating and that even at district level there is equitable distribution so that CSO providers do not concentrate activities in one a few locations leaving out others. The directed nature of civic education has forced CSO's to locate the site of their programmes using much more objective criteria. Previously programmes were located based on narrow concerns, which could include the fact that a CSO staff member originated from a given district. The result was that there was limited geographic scope as the USAID study of 1997 found.

5.6 *Civil Society Organisation and Civic Education Issue Coverage 1963 to 1991*

The three tables below present issues covered from 1963 to 2001 reflecting the wide diversity of these issues that existed among CSOs. The first table provides information of the list of issues that were addressed by the civil society sector as a whole. From 1963 to the early 1980s, the DG sub-sector did not exist among the civil society. The concern of civil society was developing human and institutional capacity among the African population. The range of topics depicted in table 5.3 also illustrates a preoccupation with social welfare type issues. In this context organisations were formed to address the handicapped, the destitute, to provide school fees and bursaries for example.

In the 1980s there was a shift in the focus of CSOs. In addition to those concerns listed above, other new areas emerged. These areas were also now addressed in an increasingly radicalised form by the CSOs. These areas included "women and development" which challenged the concept of gender neutral development policies and required women's access to the development process. Environmental concerns were championed by NGOs such as KENGO, Mazingira Institute and the Green Belt Movement. Such issues received government support. An annual tree planting day was presided over by the president to express high-level government support.

The early 1990s saw the emergence of the democracy and governance sub-sector. The growth of this sub-sector has been a direct consequence of the greater democratic space that became

¹²³ Dart Thalman et al. (1997), p 18.

available with the repeal of Section 2A of the constitution in December 1991. Civil society took advantage of these new opportunities by starting new organisations in all CSO sectors.

Table 5.3: List of Issues/Sectors Addressed by Civic Education Providers 1963 to 1991

Recreation	Employment
Charity	Environment, Energy, Conservation and Development
Community Development	Population and Family planning
Technology	Relief and Development
Health	Handicapped
Food and Nutrition	Children
Water and sanitation	Youth
Education and training	Women
Shelter	Destitute
Agriculture	Religion
Social Counseling	Transport and communication

Source: Kenya National Council of Social Services (KNCSS) 1988.

Table 5.4: List of Issues Covered by Civic Education 1991 to 1997
From USAID study (1997)

<input type="checkbox"/> Legal rights/human rights awareness and advocacy
<input type="checkbox"/> Women's issues and rights
<input type="checkbox"/> General democracy and governance issues
Environmental and land rights
<input type="checkbox"/> Development work. ¹²⁴
<input type="checkbox"/> OTHERS
<input type="checkbox"/> Political prisoners
<input type="checkbox"/> Constitutional reform
<input type="checkbox"/> The media and freedom of expression and association
<input type="checkbox"/> Affirmative Action
<input type="checkbox"/> Tea and coffee sectors
<input type="checkbox"/> Pastoralist rights

Source: USAID Civic Education Study, 1997 and NGO Council.

Table 5.5: List of Issues/Sectors Addressed by Civic Education Providers, July 2001

Human Rights	Legal Education
Women's Rights	Prisoner rights Paralegal Programmes
Voter Education	Transparency and Anti-Corruption
Election Monitoring	The Constitution
Anti-Torture	Conflict Resolution
Rights of the Child	Female Genital Mutilation
Governance Issues	Affirmative Action
Marginalised groups right (e.g. The rights of the Ogiek Community)	Economic Rights
Governance issues in the private sector	Political Education
	Governance of the private sector

Source: National Civic Education Records, July 2001.

5.7 Mapping of Target Groups 1963 to 2001

In the early years after independence, there was a tendency for civil society to approach their target communities without much differentiation. There were assumptions that development was neutral and that there would be trickle down effects which would ensure that the positive impacts of

¹²⁴ Dart Thalman et al (1997), p 32.

development initiatives would spread to other members of the community other than the direct beneficiaries. As a consequence the target groups that the emergent CSO sector addressed tended to be more amorphous and limited in types as well. The table 5.6 below identifies the list of target groups for 1963 to 1991.

Implementation of activities and contact with communities soon helped development practitioners to understand that communities themselves were differentiated and that different categories had different access to resources, institutions and facilities. In response there was increasing differentiation of target groups as initiatives were developed with a special focus on different categories. The emergence of participatory approaches has led to even greater differentiation among target communities. The DG sector and civic education have benefited from these developments.

Most of the civic education providers used local churches or community based organisations such as women groups as channels to access their target group in the rural areas. This approach served several purposes. By going through a well-known local entity the organisations were able to access their target group and quickly win their trust. The local church or community-based organisation in turn provided the organisation with legitimacy. This approach was a means to help the organisation identify local issues, which the provider then integrated into their standard civic education package. A local church offered a meeting place, which did not require a permit and which helped the organisation evade the attention of the government.

Although civic education providers all stated that the majority of their target groups were composed of the grassroots, the beneficiary survey revealed that the majority of the beneficiaries were actually among the better educated and most were community leaders. This was an interesting finding and was consistent for most beneficiaries across the whole country. The providers when interviewed confirmed that they did indeed target community leaders with a relatively high level of education. They did this because their programmes were designed to have a replicating and ripple effect within their target communities.

Civic education programmes focusing on women either in terms of point of entry or as an area of programme focus, was one of the issues that stood out in the beneficiary findings. The reasons for the gender focus of the programmes are stated as follows:

"...Women are the most socially organised in Kenyan society and thus are targeted to enable them to participate more fully in the mainstream of society. Because civic education in Kenya is often perceived by the government as being politically threatening, public officials will often interfere in these programmes. Women, however, more typically come together in groups for a variety of purposes. Thus forming a group which includes a civic education curriculum would not necessarily attract as much attention from government officials..."¹²⁵

From 1998 to 2001 the target groups that were addressed by civil society organisations reveal a growing diversity as CSO providers began to specialise and focus on limited areas. A list of types of groups that are being addressed under the NCEP programme are presented in table 5.8. They include groups that have hitherto not featured as targets for civic education programmes. Such groups include members of the informal sector such as *matatu* operators, hawkers, *Jua Kali* workers.

¹²⁵ Dart Thalman et al. (1997), p 17.

Table 5.6 List of Target Group Addressed by CSOs 1963 to 1991

Leaders	Women
Youth	Women groups
Community based organisations	Women professionals
Co-operatives	School girls
Teachers	Self-help group
Farmers	Village committees
Disabled	Workers
	Pastoralists
	The general public

Source: Kenya National Council for Social Services (KNCSS)

Table 5.7: List of Target Groups for Civic Education (1992 to 1997)

Women	Youth
Abused women	Community based groups
Young women	Co-operatives
Workers	Religious community
Political prisoners	Teachers
Leaders	Farmers
Private sector	Village committees

Source: USAID Civic Education Study, 1997.

Table 5.8: List of Target Groups for Civic Education July 2001

High prevalence categories		Low prevalence categories
Leaders	Women Women groups Abused women Women living with AIDS School dropouts Women traders Women professionals School girls	Village committees
Youth		Elders
Community based organisations		Hawkers
Co-operatives		Opinion leaders
Muslims		<i>Matafu</i> operators
Teachers		Religious leaders
Farmers		<i>Jua Kali</i> workers
Disabled		Religious organisations
Self-help group		Political parties
The private sector		
Village committees		
Workers		
Pastoralists		
The general public		

Source: NCEP mapping by Divisions July 2001

5.8 Funding of Civil Society Organisations and Civic Education Activities 1963 to 2001

During the Kenyatta era, the majority of donor support went to government, as it was the focus of almost all development initiatives. Little donor support went to indigenous civil society organisations. Indigenous civil society organisations such as Law Society of Kenya were not dependent on donor funds and relied mainly on membership fees to raise funds for their activities. Community based organisations and initiatives relied on local sources of funds. The *Harambee* movement was introduced during this era and was the trusted means of community fundraising.

The 1980s experienced a donor shift. International donors started to fund civil society organisations fuelling much of the growth that this sector experienced. The sector experienced expansion, diversification and growth in depth. Women and development became an important focus of the

sector as development specialists began to realise the folly of excluding one half of the population from accessing the opportunities of development. Environmental issues began to gain prominence as the negative impact of development patterns, which had treated the environment, and all natural resources as infinitely abundant began to be seen. Community development and participatory methodologies began to be developed, as failure of projects that did not begin with the target communities became evident. The table 5.9 provides categories of donors that supported the non-government voluntary sector from 1963 to 1978.

Outside of elections, two-thirds of the civic education organisations within the USAID study received funding from four main donors. The leading donors were the Swedish International Development Agency/Embassy of Sweden, United States Agency for International Development, and Danish International Development Agency/Embassy of Denmark.

Outside of general elections, only one donor reported co-ordinating its funding strategies and decisions with other donors. On the same issue, the study found that one of the suggestions that Non-Governmental Organisations made to donors was that they should better co-ordinate their funding strategies. Non-Governmental Organisations felt that such co-ordination would improve donor support to them.¹²⁶

Few donors required impact assessment of civic education activities that they had funded. Donor agencies made few demands on the civic education providers in terms of the management mechanisms and structures required to deliver the civic education. The study found that most do not have impact assessment indicators while evaluations tended to be generalised.

From 1998 to 2001, a total of seven donors came together to jointly support civic education programmes in a collaborative arrangement called the Like Minded Donors or LiMiD. Other donors such as USAID continued to support civic education independently. The list of donors under LiMiD are presented below.

Funding levels have reached an all time high of about Kshs 1 billion for civic education and related activities. Donors developed co-ordinated funding strategies and decision making through the LiMiD or Like Minded Donor group. Through the LiMiD, donors have come together to provide joint funding for the NCEP programme. The donors who are participating in this joint funding initiative include IDRC, DANIDA, SIDA, CIDA, NORAD, DIFID and the Netherlands Embassy. Donor support for civic education organisations has widened considerably beyond the traditional ones that had a tendency to receive support. These traditional ones were characterised by being Nairobi based and being led well-known high profile individuals.

This broadening of support extends to organisations that are located outside of Nairobi. Under NCEP a number of organisations that are located outside of Nairobi, have received support. While a number of others are first time recipients of donor support. This widening of support will contribute to greater and wider participation of communities and organisations in the democratisation process in Kenya. This is because they will be able to make representation of their ideas, concerns and issues in the national constitutional reform debate. Further, many of these new recipients will for the first time enter the debate and stand to gain knowledge as to how donor funding works. This will have long-term consequences for them in that they can use these skills to access more funding for other concerns in the future.

¹²⁶ Dart Thalman et al (1997), p 54.

Table 5.9: Categories of Donors for CSOs 1963 to 1988

- ❑ The Kenya National Council of Social Services (KNCSS) directory of 1988, lists four basic category of donor these were mainly;
- ❑ Local donor NGO which are identified as, Foundation for Social Habilitation, the Chandaria Foundation and the Development Universal Church of East Africa.
- ❑ Foreign donor NGO which number 17 and include international NGOs such as Catholic Relief services, the Ford Foundation and Tear Fund.
- ❑ Local donor operational NGOs number 23 and include, Family Planning association of Kenya, Riat Development and Kenya Book Foundation
- ❑ Foreign donor operational NGOs number 52 and include Action Aid Kenya, Aga Khan Foundation and Care International in Kenya.
- ❑ Foreign donor umbrella NGOs numbering 4
- ❑ Local Operational donor umbrella NGO numbered 2
- ❑ Foreign operational donor umbrella NGO were 2.

Source: Kenya National Council of Social Services (1998)

Table 5.10: Donors Funding Civic Education (1992 to 1997)

- ❑ Swedish International Development Agency/Embassy of Sweden
- ❑ United States Agency for International Development
- ❑ Danish International Development Agency/Embassy of Denmark
- ❑ Ford Foundation and government of Norway

Source: USAID Civic Education Study, 1997.

Table 5.11: List of LiMiD Donor Members (1998 to 2001)

- ❑ International Development Research Centre (IDRC)
- ❑ DANIDA (Danish government)
- ❑ SIDA (Swedish government)
- ❑ CIDA (Canadian government)
- ❑ NORAD (Norwegian government)
- ❑ DIFID (British government)

Source: National Civic Education Records, July 2001.

5.9 The Religious Sector and Civic Education (the example of DEP/DELTA) 1963 to 2001

In a highly religious society, religion and religious institutions have always had an important place. Before independence, religious institutions were responsible for many of the educational opportunities that were available to the African population. A church was typically accompanied by a school and a health facility in many places across the country. After independence, the religious sector continued to be dominant even within civil society. It had the largest spread and had embarked on more development and relief operations than the secular civil society while the latter was dominated by foreign NGOs. By the mid-1980s the situation had changed this sector was largely in the hands of Africans and started to experience growing radicalisation as discussed in chapter three.

In 1974, the Catholic Church and the National Council of Churches of Kenya (NCCK) formed the Development for Education Programme (DEP) and Development Education for Leadership and Team Action (DELTA). Map 5. 4 annex 9 provides the distribution of the diocese of the Catholic Church in Kenya as proxy for distribution of the DEP/DELTA programme in Kenya (1973 to 1982). The Development Education Programme (DEP) can be seen as a precursor to the current civic education programme in Kenya in that it also involved a quest for justice through the participation of

people in their own development. By 1981, DELTA had become a successful nation wide development movement, and had extensive coverage in most of the country. The only exceptions were those parts that were strongly Muslim. From these origins in Kenya, DELTA has spread to other African countries, namely, Uganda, Zambia, Swaziland, Lesotho, Zimbabwe, South Africa, Nigeria, and Sierra Leone. The map below illustrates the distribution of the Catholic Church in Kenya as proxy for distribution of the DEP/DELTA programme in Kenya.

The focus of the DEP/DELTA programme was at the community level and much of the activities were focused on community development aspects. In a major evaluation of the programme performed in 1982, it was reported that both the diocesan teams that conducted the conscientisation training together with the beneficiary communities emphasised improved standards of living as the main outcome of DEP activity.¹²⁷ Other areas that were the focus of the DEP activity include personal growth, religious life, communal activity, and social transformation.¹²⁸

Growing radicalisation of the religious institutions has been addressed in chapter 3 of this report. This radicalisation meant that these institutions both Muslim and Christian were able to incorporate civic education within their programmes and activities. In the case of religious based civic education programmes, the USAID civic education study of 1997 study found that the large mainstream churches played a major role in the delivery of civic education directly with their own programmes and indirectly by being channels through which other providers reached their target groups. The study did not find even one incident of civic education among the so-called African response churches or the new evangelical churches.

5.10 Conclusions

Studies of different aspects of the civic education programme that has been embarked on under NCEP and through the support of other donors should become an integral part of the implementation of the NCEP. This will ensure that the programme remains focused on its objectives. Furthermore, through this process of conducting regular studies, the achievements and lessons learned from the implementation process can be recorded and made available to a wider public.

5.11 Recommendation

The NCEP is an important programme, which can add considerable value to the growth of the civic education sector for all those concerned. It can play an important role by providing intellectual leadership for the sector and by providing opportunities for the sector to reflect and define itself better. NCEP can facilitate the CSOs involved in civic education become more professional by doing the following:

- Adapting and adopting appropriate management systems and structures, which will facilitate effective programme delivery.
- Encourage CSO civic education providers to adapt and adopt M&E and performance indicators.
- Facilitate widespread distribution of the same throughout the civic education CSO community.
- Adapting and adopting appropriate management systems and structures, which will facilitate effective programme delivery,
- Encourage CSO civic education providers to adapt and adopt M&E and performance indicators.

¹²⁷ Christian Development Education Service, Nairobi (1981), *Major Evaluation of the Development Education Programme in Kenya 1994 –1981* p 84.

¹²⁸ Christian Development Education Service, Nairobi (1981), *Major Evaluation of the Development Education Programme in Kenya 1994 –1981* p 83-84.

- Facilitate widespread distribution of the same throughout the civic education CSO community.

CHAPTER SIX

6.0 IMPEDIMENTS TO CIVIC EDUCATION IN KENYA AND COPING STRATEGIES

6.1 Overview

Impediments to civic education will be analysed at two levels. First, there are external impediments. These are impediments outside the immediate control and influence of organisations providing civic education. External impediments may emanate from the State, non-State actors, funding partners, and other factors. They include delays in registration and non-registration of civic education organisations, harassment of civic education providers, inaccessibility of parts of the country due to poor communication and insecurity, and the challenge of poverty.

Secondly, there are internal impediments. These are impediments within the control and influence of civic education providers. They include poor monitoring, supervision, documentation, and evaluation of civic education activities and weak organisation structures in some civic education providers. Below, we first review external impediments and then turn to internal impediments.

These impediments, whether external or internal, have not been constant over the years. While the genre may not change much, how an impediment manifests itself from time to time does change over the years.

Civic education organisations have found innovative ways to cope with many of the impediments that they face in their work. In the following sections, we explore a number of coping strategies. These strategies are based on the experiences of a diverse range of civic education providers. They are not presented as universal truths since the experiences of particular organisations are often unique.

6.2 Findings on Impediments to Civic Education in Kenya and Coping Strategies

6.2.1 External Impediments Emanating from the State

a. There are delays in registration and threats of de-registration of civic education providers

Civic education providers seeking registration are frequently subjected to long delays by the authorities. The principal legal regime under which most civic education providers constitute themselves and seek registration is the Non-Governmental Organisation's Co-ordination Act, 1991.¹²⁹ The Act creates a government controlled Board, whose primary function is to register Non-

¹²⁹ Some civic education providers are established under other legal regimes, e.g. as Societies registered under the Societies Act, Cap 108 (the International Commission of Jurists Kenya Section is an example), as Companies limited by guarantee, registered under the Companies Act, Cap 486 (of which the Institute for Education in Democracy is an example), or as Trusts constituted under the law of trusts, principles of equity, and the Trustee Act, Cap 167 (of which the Legal Resources Foundation is an example).

Governmental Organisations that wish to operate in Kenya.¹³⁰ A related function is to maintain, and regularly review, a register of all NGOs operating in Kenya with the precise sectors, affiliations and locations of their activities. Non-Governmental Organisations are required to submit annual reports to the Board, which is then supposed to discuss and review the reports. In addition, the Board is tasked with providing policy guidelines to Non-Governmental Organisations for harmonising their activities 'to the national plan for Kenya'.¹³¹ The Act also gives the Board power to de-register non-governmental organisations.¹³²

When human rights/civic education organisations take positions critical of the government, pro-establishment leaders frequently threaten them with de-registration. Occasionally, the threats are carried out; in [1993], the Centre for Law and Research International (CLARION) was de-registered as a non-governmental organisation after it published research findings on corruption that irked the authorities. CLARION was re-registered in [1998] after concerted lobbying.

Coping Strategy

Organisations whose registration is delayed, denied, or which are de-registered may be given 'legal cover' by existing registered civil society organisations. Legally, 'hosted' organisations operate as 'projects' of the 'hosting' entity. In practice, they are autonomous organisations – though the autonomy varies- with their own governance structures, programmes, and budgets distinct from that of the host. If the hosted organisation wants to, it can satisfy its legal obligations, e.g. deduction and remittance of statutory payroll deductions through the host.

The following examples illustrate this arrangement. The Kenya Human Rights Commission, a registered non-governmental organisation, plays host to a number of organisations-- Release Political Prisoner's (Nairobi), Citizens Coalition for Constitutional Change (Nairobi), Muslims for Human Rights (Mombasa), and until recently, the Legal Resources Foundation (Nairobi). In the period 2000-2001, seven new human rights groups were granted legal cover by the Commission. These are the Centre for Human Rights and Civic Education (Mwingi), Hussein Sora Foundation for

¹³⁰ The Act does not provide a time-line within which applications are to be dealt with, thereby resulting in long delays. For example, the Legal Resources Foundation submitted its application for registration under the Act in 1996. To date, there has been no formal response to that application.

¹³¹ See Section 7 of the Act.

¹³² According to Section 10 of the Act, the chief officer of a proposed organisation should submit applications for registration to the Bureau (the secretariat arm of the Board), using a prescribed form. The applicant should specify the officers of the organisation, its postal and physical addresses, the sectors and districts it proposes to work with, proposed annual budget and sources of funding, and duration of activities. Section 14 of the Act provides that registration may be refused if the Board is faced with any of the following three scenarios: that the organisation's proposed activities or procedures are not in the national interest; the applicant has given false information on its application forms; and the Council established by the Act (composed of registered Non-Governmental Organisations) has not recommended the application. Because the Act does not define what is or is not 'national interest', there is the possibility that the Board may make decisions based on subjective or irrelevant factors. Section 16 of the Act gives the Board power to de-register Non-Governmental Organisations on any of the following three grounds. First, if the organisation has violated the terms or conditions attached to its certificate of registration (under Section 13 (2), the Board can de-register an organisation subject to specified terms and conditions). Second, if the organisation has breached provision of the Act (e.g. failure to submit annual reports). Third, if the Council has recommended de-registration of the organisation. Because the Board is a creation of Statute, it is bound to apply the rules of natural justice when considering de-registering an organisation. These principles require that the organisation should be given adequate opportunity to be heard in its defence, the Board should be free of any bias or corruption in arriving at its decision, and only relevant factors should be considered. Under Section 34, there is a right of appeal to the Minister against de-registration. Although the Minister's decision is described as final and binding, as a matter of law it can be challenged in a court of law if his or the Board's decision is arrived at in violation of the principles of natural justice or the Act itself.

Human Rights and Democracy (Isiolo), Support for Peoples Initiatives in Development, Enhancement and Resources (Nyahururu), Rural Centre for Human Rights and Democracy (Maragua), Centre for Human Rights and Democracy (Meru), the League of Small Scale Coffee Farmers (Thika), and the National Aid for Pastoral Change (Moyale).¹³³

The International Commission of Jurists hosted the Centre for Governance and Development (CGD) until 2000. When Clarion was de-registered, it re-established itself as Research and Civic Awareness Programme (RECAP), hosted also by the International Commission of Jurists. People Against Torture (PAT) is a project of the Social Development Network. The Ecumenical Centre for Justice and Peace is a programme of the Ecumenical Trust.

In a few cases, organisations have deliberately chosen not to submit themselves to the registration process on the basis that the laws governing registration are oppressive and dictatorial. In addition, they may postulate that they are a lobby group and as such do not require registration. The Release Political Prisoner's Pressure group (RPP) takes this position.

Experience suggests that whether or not donors will extend support to 'hosted' organisations will primarily depend on how much trust they have in the leadership of the hosted organisation.¹³⁴ The donor-grantee relationship is founded on the donor's risk assessment of the organisation. The credibility and track record of key individuals in the organisation is an important aspect of the risk assessment. It is for this reason that hosted organisations have been able to solicit and receive donor support notwithstanding their weak legal grounding.

The 'price' that hosted organisations pay for the hosting varies. In almost all cases, the hosted organisation has to cede part of its autonomy to the host. At the Kenya Human Rights Commission, the Commission seconds one of its officials to sit in the policy-making organs of the hosted organisation. When the hosted organisation's bank accounts are opened under the name of the Commission, cheques (often those above an agreed amount) have to be signed by a Commission representative. This can lead to delays in programme implementation when the Commission's representative is not available. Letterheads, annual reports, books, magazines, and other resources by the hosted organisation have to recognise and state that it is a project of the Commission. There is a financial cost as well. The Commission requires that hosted organisations pay up to sixty thousands shillings a year to cover the Commission's costs.

Nevertheless, there are also gains for the hosted organisation. The obvious one is that the hosted organisation is able to operate and implement programmes. The second one is that the hosted organisation can borrow and benefit from the host's good management practices and expertise in proposal writing and fundraising.

At times, the host versus hosted organisation's relationship can appear farcical, as when the hosted organisation is bigger than, or as big as, the host. An example is the Centre for Governance and Development, hosted by the International Commission for Jurists. The former is as big and prominent an organisation as the latter. The results might even appear comical, such as when a network of registered organisations is itself hosted by a network member. Such is the situation with the Constitution Reform and Education Consortium (CRE-CO), which is hosted by the Kenya Human Rights Commission.

¹³³ See the Kenya Human Rights Commission, *Annual Report (2000-2001)* p 13.

¹³⁴ The hosted organisations in practice receive money from donors though levels of support vary from one organisation to the other.

b. Civic education providers are harassed in the course of their activities and criminal sanctions applied against them

There is no readily available data on the number of disruptions of civic education activities by the police over the years. A review of local daily newspapers as well the Quarterly Human Rights Reports published by the Kenya Human Rights Commission suggests that in recent years, there may have been a reduction in disruptions. Still, civic education providers suffer harassment and intimidation in the course of their work. Harassment may emanate from the State or its agents, usually the police or the provincial administration. Harassment can and does emanate from non-state actors, such as political parties and local leaders.¹³⁵

Harassment of human rights and civic education organisations is motivated by the fact that the State in Kenya does not view them as legitimate development partners in the same way that it views those organisations providing services such as education, health, water and famine relief. The work of the former organisations is seen to question the *status quo* while the latter, in the perception of government, does not. Yet, the distinction is not as simplistic as it may appear. On the one hand, some human rights and civic education organisations attract more scrutiny from the State than others do. Advocacy oriented groups are more likely to be monitored than education and awareness groups; the reason is that advocacy initiatives challenge the status quo situation perceptibly and presently than education and awareness initiatives.¹³⁶ On the other hand, when service delivery organisations begin to question the social, economic, and political causes of the non-availability of the service they are delivering, they will almost certainly begin to attract the attention of the State. That explains why certain dioceses of the Catholic Church in Kenya, such as Lodwar and Kitale, despite of their massive service delivery in the education, health, food, and water sectors, attract the government's displeasure.¹³⁷ The Church also demands for justice and fairness in the way that these services and others that the State provides are managed.

¹³⁵ The following is a sample of incidents in which civic education activities have been disrupted. In September 2001, police stopped a workshop organised by the Release Political Prisoners (RPP) for squatters in Katelembo, Machakos District. Earlier in the year, police had stopped another workshop by the same group in the same area and 93 participants arrested; they were subsequently released. (Interview with Tirop Kitur, Coordinator of the RPP, on 11th September 2001). On 20 October 2001, up to 71 activists celebrating an 'alternative Kenyatta Day' at the Release Political Prisoners' offices in Nairobi were arrested by the police and charged in court (*Daily Nation*, 21st October 2001, p 1). A month later, the case against them was thrown out by the court, which determined that the charges were defective. In August 2000, local artistes participating in a civic education play by the Centre for Governance and Development were arrested in Nanyuki town and charged with participating in an unlawful meeting, carrying firearms (actually props), and being members of *Mungiki*, an illegal organisation. The charges were subsequently withdrawn. In March 2000, three members of the Kenya Human Rights Commission together with eleven other human rights defenders were arrested in Tinet Forest, Nakuru District, where they had gone to conduct human rights education activities. It was alleged that they had participated in an illegal meeting (Kenya Human Rights Commission, *Quarterly Human Right Reports*, Vol. 2 No. 2, 2000, p 36). In 1999, the police stopped a play on constitutional reform and human rights by Machako's based Kastigar theatre group. The police alleged that the group failed to notify the police about the play (*Daily Nation*, November 9, 1999).

¹³⁶ On March 1 2000, some community members in Korogocho (one of Nairobi's biggest slums) working with Kituo Cha Sheria were summoned to Ruaraka Police Post and told to go to Muthaiga Police Station. They were asked to explain what they were doing on February 27. This was the day when residents of Kisumu Ndogo within the area held a workshop with the assistance of Kituo Cha Sheria and elected officials of their security committee to deal with rampant cases of insecurity. They were subsequently charged with holding an illegal meeting. This is the sort of action that the State sees as threatening. By electing their own security officials, the community was expressing its lack of confidence in the States ability to protect them. Kenya Human Rights Commission, *Quarterly Human Rights Reports Vol. 2 (2000)* p 33.

¹³⁷ According to Anthony Njui of the national secretariat of the Catholic Justice and Peace Commission, officers and clergy working with the Commission in Lowdar and Kitale Dioceses have occasionally reported threats directed at them arising from their civic education activities.

Another reason for State interference in civic education and human right organisations is its perception that they receive large amounts of money from outside the country.¹³⁸ The government has concerns as to ends to which such money may be directed.

Harassment is sometimes delivered in subtle ways, as when government functionaries make unlawful demands on civic education and human rights organisations. For example, organisations may be asked to disclose their operations and budgets to members of the provincial administration despite the fact that the legislation they operate under, primarily the Non-Governmental Organisations Co-ordination Act, 1991, does not require them to disclose such information to the provincial administration.¹³⁹

When civic education activities are disrupted, the police can, and does, arrest those involved, who are then charged in court with offences under the Public Order Act.¹⁴⁰ This has several consequences. First, the civic education providers have to bear the cost of defending themselves in court, including hiring lawyers.¹⁴¹ Civic education providers can ill afford to incur such costs because they will not be budgeted for in the funding received from donors. Second, some communities involved in disrupted civic education activities may become fearful and abandon the project, leading to further delays. Third, delays in programme implementation schedule may jeopardise future funding from donors who may expect the organisation to deliver its programme according to the original work plan and time line, with little room for re-negotiation.

Harassment and intimidation of civic education providers takes place in spite of government policy supporting the growth of a citizenry aware of its rights and obligations. In the *Poverty Reduction Strategy Paper, 2001*, government commits itself to 'promote public awareness on legal rights, encourage the culture of seeking legal redress whenever necessary, train paralegals, employ additional legal drafters, and *provide civic education*.'¹⁴² (Emphasis added). There is a wide chasm between the government's rhetoric and practice.

Interference with civic education activities tends to rise during key political moments. Consequently, with the on-going constitutional review process, the Moi succession struggles, and the upcoming general election in 2002, a pattern of increased harassment is likely to emerge.

Coping Strategy

Civic education work is exempt from the prior notification requirements of the Public Order Act.¹⁴³ The Act makes specific exemption for activities carried by registered religious groups. For this reason, civic education groups conducting their activities in religious places such as churches and mosques can do so without attracting the wrath of authorities or individuals out to disrupt them.

¹³⁸ This perception is often false. The levels of funding that civic education and human rights organisations receive on an annual basis is small in comparison with the budgets of service delivery civil society organisations. In its latest strategic plan 2001-2005, FIDA, one of the largest civic education and human rights organisations in Kenya presently, has a budget of just above Ksh. 50 million. The annual budgets of organisations like Plan International in Kenya, Care Kenya, and Action Aid Kenya run into hundreds of millions.

¹³⁹ Such a pronouncement was issued against NGOs generally by the Nairobi Provincial Commissioner in April 2000. See Kenya Human Rights Commission, *Quarterly Human Rights Reports, Vol. 2. (2000) No*, p 30. In November 2000, the President was reported to have promised to name and shame NGOs that were allegedly using the promotion of democracy as a pretext for subvert the government. See Kenya Human Rights Commission, *Quarterly Human Rights Reports, Vol. 2. No 4* p 35.

¹⁴⁰ Chapter 56 of the Laws of Kenya.

¹⁴¹ Local lawyers have offered pro-bono support to civic education providers charged in court. This support however tends to be ad hoc and cannot always be anticipated.

¹⁴² See Ministry of Finance and Planning, *Poverty Reduction Strategy Paper for the Period 2001-2004* at p 51.

¹⁴³ Chapter 56 of the Laws of Kenya.

Civic education providers sometimes *negotiate* with those who seek to disrupt their on-going activities. In appropriate cases, non-violent resistance – standing one's ground– has been used successfully. The Release Political Prisoners group (RPP) has tried both approaches.¹⁴⁴ When community members have been prevailed upon to stay away from a civic education activity through instillation of fear, it is important that the activity proceeds even with the few that attend. This builds their confidence, and that of others, on the legality and legitimacy of the civic education activity. It is up to each civic education provider to decide, in the context of particular circumstances, the strategic response.

Police and the provincial administration, because of lack of knowledge about the legal regime that governs civic education or pre-judgement and misjudgement about the subject, occasionally disrupt civic education activities. Training and sensitising government officials on the role of civic education helps these officers to intervene less frequently.¹⁴⁵

6.2.2 External Impediments Emanating from the Funding Partners

a. Funding for civic education work is limited

Adequacy or inadequacy of funding can often be a subjective conclusion yet it cannot be denied that funding to carry out civic education is limited, and episodic. In a 1997 study by the United States Agency for International Development (USAID) Kenya mission, 87% of civic education providers interviewed reported that their financial resources were inadequate.¹⁴⁶ In its annual report for 2000/2001, the Kangemi Women Empowerment Centre, a local NGO, the Executive Director notes that the 'period under review was also one of significantly few and dwindling resources. This constrained programme implementation and in turn community confidence in the empowerment process'.

In most civic education provider organisations, up to 100 percent of funding comes from external sources. From the annual report of the Kangemi Women Empowerment Centre, it is clear that all the money received in the period under review came from external sources. An analysis of the financial report for the Kenya Human Rights Commission's 2000-2001 period shows that more than 98% of its funding during the period was externally generated. The consequence of reliance, or over reliance, on external donor funding, is that if the policies of the donor change, and they often do, the civic education provider risks having to close down. It is also possible that the funders can manipulate the vision of civic education providers relying wholly or significantly on external funding.

Local funding to civic education providers is negligible. Local philanthropy is limited but even the little available is more likely to be directed towards direct service delivery, e.g. construction of schools and hospitals and provision of water and sanitation to those without access. The recent establishment of the Kenya Community Development Foundation, a local philanthropy initiative, is a welcome development that may spur local funding to local civic education providers.

According to the USAID report, the primary donors in 1997 (in funding amounts) are the Swedish International Development Agency (SIDA), the United States Agency for International Development

¹⁴⁴ Interview with Tirop Kitur of the Release Political Prisoners group.

¹⁴⁵ The Constitution of Kenya Constitution Review Commission proposes to take this approach in its civic education work. This point was made in a presentation at a panel discussion during an exhibition on civic education organised by the Centre for Governance and Development between 11th and 12th October 2001. Training government officers on human rights and civic education issues in order to reduce their own suspicions about these issues is a strategy increasingly employed by human rights and civic education providers. The Legal Resources Foundation and FIDA Kenya have trained government Chiefs, in Thika District and Western Province respectively, in 2001. This information is contained in the respective annual reports for 2001.

¹⁴⁶ Dart Thalman et al., *Civic Education Study for Kenya*, 1997, p 34.

(USAID), the Danish International Development Agency (DANIDA), the Ford Foundation, and Norway (comprised of Norwegian Embassy and NORAD).¹⁴⁷ The German Foundations and the Dutch also provided some funding.

Since funding is limited, the coverage of civic education is limited both in terms of numbers trained and reached as well as in terms of area of spread. Because of the limited funding on the one hand, and on the other, the desire by civic education providers to be seen to be effective in their reach, organisations typically overstate their presence. For example, an organisation that describes itself as working in districts A, B, and C may only be training 30 civic education trainers in each district, a number which can only have very limited impact.¹⁴⁸

Coping Strategies

The co-ordinated efforts of the Western donor community in Nairobi to provide basket funding towards the National Civic Education Programme are noteworthy. It is not clear how much that support is but it is certainly more than the usual annual allocation of these donors.¹⁴⁹ While it is too early to judge the efficacy of the National Civic Education Programme, if successful, it should be replicated in the support that the donors are likely to extend for voter education and election monitoring during the 2002 general elections in Kenya. Donors may want to establish a basket fund for continuing human rights and civic education programmes in Kenya.

b. Funding for civic education work is short term

Funding for civic education, particularly for voter education and electoral monitoring, tends to be short term, typically related to general elections. The funding is also project based, with activities running, on average, for two years. In the project approach, inputs and outputs are clearly defined at the project design stage; there is little room for exploration and experimentation. Emphasis on the project approach can act as a constraint in the delivery of civic education because it undermines the use of processes in implementing a civic education programme.

In the past, civic education was mostly on electoral information and election observation and monitoring, and tended to come near general elections time. In the 1992 and 1997 General Elections, for example, donor funding for CSO input in the elections in the form of voter education and election monitoring was in excess of US\$ 600,000. The funding was done jointly by several donors.¹⁵⁰ The short term nature of funding means that civic education providers are unable to develop programmes that address long term issues, such as electoral or ethnic/political violence and policy and legislative reform. They are also unable to develop long-term programmes with a single target community even though past experiences indicate that civic education is most effective when a community or group is exposed to it, repeatedly over a longer period of time. In Kenya, a significant proportion of funding for civic education comes from a group of Western embassies in Nairobi. The Embassies receive their funding from their governments based on short-term country strategy positions, which in turn limits their ability to provide longer-term support. Government bureaucracy may also delay disbursements from the home country.

¹⁴⁷ Dart Thalman et. al., *Kenya Civic Education Study for Kenya*, 1997, p 52.

¹⁴⁸ See for example Dart Thalman, *ibid.*, 35. Elsewhere, in its Kitui paralegal programme, the International Commission of Jurists trained 30 paralegals. The project was envisaged to cover the whole of Kitui District. A similar number were trained to cover Meru Central District. See International Commission of Jurists, *Evaluation of the ICJ (K) Paralegal Project in Meru and Kitui Districts*, 2000, p 15. In the Constitutional Review Project, the Kenya Human Rights Commission trained a total of 165 participants in a project described as covering the three expansive districts of Isiolo, Marsabit, and Moyale. See Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2000, p 10.

¹⁴⁹ Press reports frequently suggest that the funding is worth approximately 2 Billion Kenya Shillings. See for example *The East African Standard*, July 30 2001.

¹⁵⁰ D. Throup and C. Hornsby, *Multi-party politics in Kenya*, p. 27-279.

Another challenge related to donor funding is that most donors, particularly the bilateral ones, are very sensitive to the politics of the day, as a result of which they may sometimes decline to support groups they perceive as overly anti-establishment or radical, even when their programmes are sound. The Citizens Coalition for Constitutional Change (4Cs) and the National Convention Executive Council (NCEC), two groups that pioneered the advocacy that forced the government to concede to a comprehensive review of the constitution of Kenya, reportedly suffered this fate from 1998. After their efforts had led to the government conceding first, to limited reforms in 1997 and subsequently to a total overhaul of the constitution, western donors were said to have been reluctant to provide funding for further work by these two organisations. This is because they were reportedly perceived to be too radical in their demands that focused on the nature of the process that should be adopted by Kenyans in the review of the constitution.

Coping Strategy

Studies of civic education programmes in other countries supports the proposition that long-term funding support to civic education organisations is key to the ability of these organisations to design and implement effective and results oriented civic education programmes.¹⁵¹

The long-term solution is the incorporation of civic education into the primary and secondary school curriculum, so that all those who go through the school system can acquire basic civic skills.¹⁵² Because of declining school enrolment rates and rising school dropouts, school based civic education will still leave out many people; they would then be the focus of the non-formal civic education programmes.

Promoting long term non-project based civic education is important. The work of the Justice and Peace Commission, a permanent institution of the Catholic Church in Kenya, represents an example of a long-term non-project based civic education initiative. Because the Commission is woven into the pastoral structures and programmes of the Church, and is reproduced at the local level, justice and peace workers are able to carry out their work, much of which is on civic issues, on a continuing basis. The annual Lenten campaign of the Catholic Church is a case in point. This campaign allows all the diocese of the Church and their congregations to reflect on a single issue with social, economic or political ramifications. In 1997, the Lenten Campaign focused on homeless people living in urban streets.

6.2.3 External Impediments Emanating from Other Factors

a. Certain parts of the country are not accessible to civic education providers

In Kenya, the communications infrastructure is concentrated in major urban areas and high agricultural potential regions of Central Kenya, Western, Nyanza, Central Rift Valley, and lower Eastern. The Northern region comprising of the districts of Marsabit, Moyale, Garissa, Wajir, Ijara, and Mandera, the Coastal districts of Lamu, Kwale, and Tana-river, the North Rift-valley districts of Pokot, Turkana, and Samburu, and the upper eastern districts of Kitui and Mwingi lack roads and telecommunication facilities. To illustrate, there is not an inch of tarmac road in Marsabit and Moyale districts. The journey from Isiolo to Moyale towns, a distance of just about 500 kilometres, takes up to three days on poor roads. When it rains, that region is completely cut-off from the rest of the country. Poor communication infrastructure makes it comparatively more difficult to reach these regions. On a cost-benefit analysis, civic education providers may choose to avoid such areas.

¹⁵¹ See Ford Foundation, *Many Roads to Justice*, 2000, p. 221-222.

¹⁵² The Forum for Human Rights and Education (FLEHURE) and *Dangja* are two advocacy initiatives working to entrench human rights and civic education into the school curriculum.

Partly because of the poor communication infrastructure, and other factors such as proximity to unstable neighbouring countries like Sudan and Somalia, these regions are prone to mass insecurity more than other regions. There is high proliferation of illegal guns. Cattle rustling and other forms of banditry are common and frequently accompanied by massive loss of life. The insecurity is pervasive and is not directed only at civic education providers. The insecurity deters civic education; even when civic education activities happen, they are episodic.

Another form of inaccessibility arises due to language barriers. Where English or Kiswahili are not widely spoken—and this is the position in most of the areas described above—civic education providers from outside the particular community have serious hurdles to overcome if they are to provide civic education.

The nature of inaccessibility discussed here is only an issue when organisations and individuals that are external to those areas seek to conduct civic education. Local organisations and local civic educators are less likely to experience the constraints of transport and insecurity, and language barriers. In these areas, an emerging trend is that local communities are responding to their isolation and marginalisation by forming their own local NGOs. These local NGOs have been able to develop programmes, which are relevant for their communities and to successfully seek funding from external donors. The local NGOs are also seeking alliances with national and international NGOs in common project activities.

Coping Strategy

Civic education providers are reaching communities in areas cut off by lack of transport or insecurity by training trainers who in turn train local facilitators resident in the local communities. National level Civil Society Organisations are working through local organisations to deliver relevant civic education.¹⁵³

b. The challenge of poverty

The relationship between civic education and the economic climate is analysed in more detail elsewhere in this report.¹⁵⁴ Access to basic services is very poor for the majority of Kenyans. In a recent survey, 40% of respondents indicated they have no access to clean water, 32% spend more than one hour to get to the nearest health facility, and only 11% have access to electricity.¹⁵⁵ This scenario has two implications for civic education. First, a majority of the citizenry are so caught up in the struggle for daily survival it can be difficult for them to access civic education activities. Secondly, in the midst of the struggles for daily survival, civic education can seem abstract.¹⁵⁶

Coping Strategy

First, some civic education providers seek to take civic education activities to where the people are, e.g. places of worship, markets, etc which reduces the cost (monetary and non-monetary) of

¹⁵³ The Kenya Human Rights Commission implemented a civic education project in the Districts of Isiolo, Marsabit, and Moyale by training local people who were in turn expected to train others. See Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, p 10. The National Civic Education Programme directly targets rural groups to deliver civic education. Out of the ****groups supported by the Programme, *** are community groups in rural and urban areas.

¹⁵⁴ Chapter 2 of this report

¹⁵⁵ See Strategy and Tactics, *State of the Nation Survey*, 2001.

¹⁵⁶ The abstractness of civic education may result from use of inappropriate approaches and methodologies as well.

participation and involvement. Theatre particularly lends itself to this strategy.¹⁵⁷ Second, civic education providers seek to link their work with the people's daily struggles by demonstrating that today's manifest problems can only be solved tomorrow if there is a democratic, citizen sensitive, governance environment. Third, civic education approaches may be designed around the people's present needs; there is a lot of civic education to be done around famine relief and food security, and lack of access to water and the government's obligations to its citizens.¹⁵⁸

6.3.4 Internal Impediments

a. Civic education providers are organisationally weak

Civil society organisations working in the civic education and human rights sector are a phenomenon of the 1990s. There are a number of organisations providing civic education today that predate the 1990s but at the time their mandate was narrow and they did little civic education.¹⁵⁹

From the 1990s onward, and more so after the reintroduction of multiparty democracy in 1991, civic education providers increased significantly. The reasons for this growth are analysed elsewhere in this report.¹⁶⁰ Many of today's civic education providers are thus less than ten years old—both the Kenya Human Rights Commission and the Release Political Prisoners group are celebrating their first ten years in 2001/2002. In contrast, in the service delivery sector, one comes across local and international organisations that have been around for two decades or more – ActionAid, Plan International, Undugu Society, Child Welfare Society, and Care Kenya are examples.

The relative infancy of civic education providers relative to other civil society groups means that the civic education providers tend to be programmatically and institutionally weaker. Strong civil society organisations have a clear vision, goals, values, strategies, and plans. They also have a suitable and legitimate governance instrument (constitution, trust deed, articles of association, etc), a competent and committed policy making body (trustees, directors, etc), suitably qualified personnel, functional and efficient lines of authority (organogram), practices of internal democracy, operational administrative, personnel, and financial guidelines, and strategic planning and review opportunities.

¹⁵⁷ A variety of organisations including the Legal Resources Foundation, Release Political Prisoners, Citizens Coalition for Constitutional Change, and Constitution Reform Education Consortium (CRE-CO) have experimented with community theatre in recent years.

¹⁵⁸ The use of a rights based approach to development, which among other things postulates that basic needs are fundamentally human rights questions, is useful in situating human rights and civic education issues in the realities of the lives of civic education recipients. In Kenya, the Basic Rights Campaign, which is run by the Basic Rights Steering Committee composed of human rights and development organisations, is advocating for the constitutional protection of basic rights such as food, water, and shelter into the National Constitution alongside the traditional civil and political rights. See generally Basic Rights Steering Committee, *A Basic Rights Charter*, 1998 and Basic Rights Steering Committee, *The Core Challenge for Constitutional Reform in Kenya*, 1999.

¹⁵⁹ The International Commission of Jurists (Kenya Section), a voluntary association of lawyers modelled along the Geneva based International Commission of Jurists, is the oldest, having been established in 1956. At that time, and even in the decades of the 1960's and 1970's, the legal system was largely White and Asian-controlled, and the Commission was seen more as an exclusive talk shop for lawyers. Kituo Cha Sheria was established in the 1973 to provide legal aid to the indigent but for many years, it operated on a small scale due to limited interest by lawyers to provide pro-bono support to its clients. The Public Law Institute established in 1984, as a collaborative effort of the Law Society of Kenya and the National Council of Christian Churches, presages today's civic education providers. Its original mandate, which expanded over the years, was to conduct public interest litigation.

¹⁶⁰ Reference this point.

Some civic education organisations are structurally weak, more so the recent ones. They lack functional governance instruments and adequate accountability mechanisms.¹⁶¹ When the institution is weak, its leadership can feel intimidated by civic education. In the *Kenya Civil Society Programme: Review of Access to Justice Projects*, the report authors argue that "organisational democracy not only builds a greater appreciation for the principles of democracy generally but also promotes organisational transparency and accountability".

The infancy of the civic education sector has also meant that its capacity to implement programmes successfully is not fully developed. In some civic education organisations, personnel running civic education programmes lack specific training on how to conduct and implement civic education programmes.¹⁶² Too often, it is assumed that almost anyone with college education can conduct civic education. The distinction is not made that whereas one can have knowledge on civic education issues, the ability to transmit that knowledge successfully to another person, which is all about facilitation skills, may be entirely lacking. Lack of skills may account for the lack of effective impact assessment indicators and tools, absence of an evaluation strategy for materials developed, and poor documentation; these shortcomings are reviewed elsewhere in this report.

A distinction can be drawn between the institutionalised organisations and loose informal groups and networks. The former, examples of which are the Kenya Human Rights Commission and the Federation of Women Lawyers (Kenya Section), have, a clear vision, goals, strategies, and plans while the latter will not. Similarly, the former are more likely to use contemporary planning tools like logical frameworks than the latter.

The membership of the Constitutional and Reform Education Consortium (CRE-CO), one of the four consortia involved in the national civic education programme, is illustrative. CRE-CO has 22 members involved in civic education. Of the formalised and institutionalised groups, one can include the Centre for Law and Research International (Clarion), Education Centre for Women in Democracy (ECWD), and Kenya Human Rights Commission (KHRC). Of the informal and unstructured groups, one can include the Endorois Welfare Management Committee, Ilishe Trust, The Labour Caucus, *Muungano wa Wanavijiji*, and *Shirika La Elimu na Maendeleo* (Sema).

The explanation commonly offered by civic education providers for the issues highlighted here is of course that the sector is still relatively young and should not be judged too harshly yet in terms of programmatic and institutional growth. It is said that in its piloting stage, the sector focussed its energies on developing pioneering and innovative approaches, programmes, and activities and not organisational formation. However, twelve years down the line, one expects that the piloting phase has had its day and now is the time to not only implement good programmes but also strengthen the organisations that run them. Increasingly civic education providers are agreeing that institutionalisation is good, though the pace of effecting this realisation may be slow.

It is not being argued here that only institutionalised and formalised organisations should carry out civic education. However, those that are not are less likely to achieve sustainable results.

¹⁶¹ In the USAID study, 90% of civic education providers reported that NGOs being run democratically is a very important organisational value. Only one organisation was categorical that NGOs need not be democratic (p. 43).

¹⁶² This is the initial experience of the National Civic Education Programme, which runs training workshops for all project officers of collaborating partners running civic education activities with the support of the programme. The conclusion is based on an interview with Dr. Karuti Kanyinga of the National Civic Education Programme.

Coping Strategy

Until the leadership of weak organisations recognises and accepts to deal with the structural weaknesses, nothing much can change. Engaging consultants in organisational development can help, but only when there is institutional support for change. Emerging trends suggest that this is beginning to happen as more organisations take on board change processes.¹⁶³

b. There is poor monitoring, supervision, documentation, evaluation of programmes

The lack of effective monitoring and evaluation systems is primarily caused by the infancy of the civic education sector. In this sector, the demand for concrete results is a recent one. Previously, it was enough to demonstrate that planned outputs had taken place successfully. To illustrate, if an organisation was funded to run a series of civic education workshops, it would have been enough to show that the workshops took place, and were well attended. The increasing demand for results, also called outcomes, means that civic education programmes have to be designed and implemented in such a way that results can be demonstrated. To be able to demonstrate results, programme goals, strategies, and planned results, have to be clear, and indicators for assessing them in place.

It is now widely agreed that in Kenya, civic education work is beset with poor monitoring, supervision, documentation, and evaluation, which means assessment of impact is difficult.¹⁶⁴ Documentation is the key link; effective documentation facilitates monitoring, supervision, and evaluation. Two reasons may explain this state of affairs. First, civic educators may lack the skills and thus the tools required to effectively monitor, document, and evaluate a project. There is more likely to be so with the newer civic education organisations. Secondly, civic educators may lack the interest and motivation to do these, above all when there is no immediate supervisory or reward mechanism. This is particularly the case when civic educators are essentially volunteers as they often are at the grassroots level.

A related problem is that even when a civic education initiative is monitored and documented, there is frequently no effort to analyse the data gathered. Evaluation and impact assessment are additionally militated against by the absence of accurate and comprehensive pre-project data. Nor is it always clear what impact is desired for at the beginning and thus what changes to look for at the end of the intervention.

¹⁶³ Kituo Cha Sheria, Legal Resources Foundation, Kenya Human Rights Commission, and International Commission are examples of civic education providers that have been restructured in the 1998-2001 period.

¹⁶⁴ Other studies have come to the same conclusion. See for example South Consulting, *Kenya Civil Society Programme: Review of Access to Justice Projects*, 2001 (a report commissioned by the Department for International Development in East Africa (DFID-EA) at page 34. See also Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, and International Commission of Jurists, *Evaluation of the ICJ (K) Paralegal Project in Meru and Kitui Districts*, 2000. In the latter report, the authors note that 'in spite of the informal design of (civic education) programmes, NGO partners makes formal demands on the paralegals the most evident of which is the requirement that they document their work. Documentation is a characteristic of formal, not informal, programmes'. Ford Foundation, *Many Roads to Justice*, 2000, Stephen Golub write that in Kenya and elsewhere an important element that is missing from NGOs non-formal legal education (a form of civic education) is testing and evaluation of its effectiveness.

Coping Strategy

A review of recent project documents shows that monitoring and evaluation is becoming a key part of project implementation.¹⁶⁵ However, the challenge is bigger than developing monitoring and evaluation strategies, they must actually be used to demonstrate desired results.

Where capacity allows, employing a person who is primarily responsible for the related functions of monitoring, documentation, and evaluation can make a difference. This strategy, pioneered by development NGOs, has yet to take root in civic education/human rights organisations. Good results may be achieved by requiring all programme personnel to undertake training in the areas of monitoring, documentation, and evaluation.¹⁶⁶ Volunteer civic education providers can be motivated through nominal financial support tied to submission of required reports.

c. Civic education resources are not easily within reach

Elsewhere in this report, the wide range of civic education materials developed in recent years – more than [175] – is reviewed in more detail.¹⁶⁷ Materials available fall into three main categories. *Research reports* are developed after an in-depth study of a particular issue. *Training manuals* are for use by a trainer to pass on knowledge, information, skills, and attitudes to the 'learner'. *Booklets* convey particular information to the targeted reader usually without the need for a trainer. Other materials include audio and visual cassettes, posters, and stickers.

Unfortunately, these materials are not easily within reach to those who may need them. It can be very difficult, for example, for a community leader in the countryside who wants to facilitate a discussion on good and bad leadership, to access materials he or she could use. Put differently, there is no central depository for civic education materials. There are other reasons why civic education providers do not share their materials. First, materials are produced in low quantities due to budgetary constraints, which means that most of it is consumed by the organisation itself. Secondly, civic education providers hoard their materials either because they are not confident about its quality and thus do not want to subject it to scrutiny of others, or because they fear the material may be 'poached', denying them the claim to it.

A related problem is one of duplication because it is not easy to tell what resources are already available. Organisations can keep churning out materials substantially similar to what already exists instead of re-printing (most civic education materials are deliberately not copyrighted). This can be seen as a waste, or inappropriate use, of resources.

Coping Strategy

A number of civic education providers are beginning to develop small resource centres where a wide range of materials is stocked. The League of Kenya Women Voters is an example. According to the League, the resource centre contains materials on governance, gender, and human rights. One organisation could take up responsibility for establishing a *civic education depository centre*. Each organisation that develops civic education materials would be required to deposit copies with the Centre. Such a centre would become a key starting point in establishing available civic education materials. Any of the existing civic education networks, or consortia, could also play this role. The National Council of NGOs, were it willing and able to take the responsibility, would be

¹⁶⁵ The Kenya Human Rights Commission, FIDA Kenya, the Catholic Justice and Peace Commission, the Legal Resources Foundation, and the International Commission of Jurists Kenya Section, have between 1999 and 2001 completed mid term or end of project external evaluation of one or all of their programmes.

¹⁶⁶ In an interview with the Legal Resources Foundation, it was reported that this strategy could also pay dividends. In early 2001, all the organisation's staff members completed a two-week course on monitoring and evaluation.

¹⁶⁷ See annexe ***. This is not an exhaustive listing.

uniquely placed to host such a depository. Further discussions would have to be held on this subject.

d. Inadequate access to information technology

The potential for using the Internet as a medium for civic education is still unexplored in Kenya. There are practical problems to the use of the Internet. The majority of Kenyans – more so those that civic education providers target- have no access to computers. The reasons for this are many and include an undeveloped communication infrastructure in urban but more so in rural areas, high cost of computers, and high Internet connection costs.

Civic education providers with websites are few; they include the Kenya Human Rights Commission (www.khrc.or.ke), FIDA (www.fida.or.ke), and Legal Resources Foundation (www.lrf.or.ke). The Constitution of Kenya Review Commission also has a website (www.kenyaconstitution.org). The National Civic Education Programme has not developed a website. A review of these websites shows that they are primarily used to convey organisational information. In contrast, leading international civic action and human rights groups have websites that contain resources relating to their work, e.g. research reports and campaign materials. Examples are Amnesty International (www.amnesty.org), Human Rights Watch (www.hrw.org), and International Commission of Jurists (www.icj.org).

Locally, the use of the e-mail among civic education providers is widespread. In recent years, the e-mail has been used successfully as a campaign tool. When Release Political Prisoners pressure group members were arrested in October 2001, they extensively used e-mail to mobilise support. Environmental action groups in Kenya have turned to e-mail to petition the government not to de-gazette key forest areas.

Coping Strategy

One practical solution civic education providers may want to explore is to establish a joint website operated and funded collaboratively.

6.3 Conclusion

The impediments today's civic education providers face are much less than what obtained in the 1980s and early 1990s. Moreover, civic education providers have learnt how cope with many of the impediments.

6.4 Recommendations Concerning Impediments To Civic Education

Networking and targeted advocacy

Civic education organisations should work closely together to address some of the impediments they face, particularly those that are external. For example, in the face of threats or harassment, civic education providers may need to voice a common protest. In 2000, several organisations issued a statement/letter to President Moi protesting against frequent harassment.¹⁶⁸ Civic education organisations could also participate in targeted advocacy that seeks to influence the external environment, by for example engaging with the State or funding agencies on particular issues.

¹⁶⁸ For the full statement see the Kenya Human Rights Commission, *Quarterly Human Rights Reports*, Vol. 2 No. 2, 2000.

Existing initiatives could be strengthened to achieve the above. The *Kenya Human Rights Network* (K-HURINET) brings together more than 15 organisations in the human rights sector; many of them are also involved in civic education. Unfortunately, K-HURINET's structures and leadership is still weak, resulting in a low response time and many other civic education providers are not members of this network. In 2000, several organisation came together under the banner of the *Committee for the Defence of Civic Education* following the disruption of a civic education activity by the Centre for Governance and Development but the initiative withered when charges against the actors involved were dropped by the State. *Daraja*, an initiative formed in 1996-7 by civic education organisations has a bigger membership than K-HURINET but shares the other weaknesses of K-HURINET.

Civitas' Kenya, established in 1995, sought to bring together and network civic education organisations in the country. Civitas is a world-wide movement that promotes issues on civic education. One of Civitas Kenya's initial efforts was to develop a curriculum with the aim of influencing the content of civic education in the school curriculum. Civitas documentation shows that such a curriculum was developed. Civitas key strength was that it brought together not only civil society organisations but also the Ministry of Education, the Kenya Institute of Education, and the Kenya National Union of Teachers. Over the years, Civitas has become inactive.

Civic education providers should be non-partisan

Civic education providers should adopt a non-partisan approach in their work in order to minimise their activities being perceived as anti-government and anti-establishment, thereby attracting negative reaction by state and non-state actors. Non-partisanship is one of the key principles of the National Civic Education Programme. Civic education is partisan if it advocates a particular point of view. For example, when the civic education provider highlights the characteristics of good governance, he or she is non-partisan. However, if the discussion moves to applying these characteristics on a particular country in order to conclude whether it has good governance, then the civic education being imparted is partisan.

Donors should provide longer term financial support to civic education providers

Donors should provide longer term financial support to civic education providers in order to enable the providers develop strong process-oriented as opposed to activity- oriented programmatic interventions. The former approach has more impact than the latter.

Need for strategic planning

It is recommended that civic education providers - small and big, formal and informal, institutionalised and un-institutionalised- deliberately and consistently assess the environment in which they operate in to identify how best to minimise the impediments that they face. Two tools are useful for this. First, strategic planning processes give an organisation an opportunity to review the internal and external environment in which they operate and concretise strategies and anticipated results.¹⁶⁹ Second, periodic reviews enable the organisation to continually reflect on how day-to-day changes in the internal and external environment affect achievement of planned outcomes and outputs.

¹⁶⁹ FIDA Kenya is a good example. In 2001, FIDA developed and shared with its partners its strategic plan for the period 2001-2005. The strategic plan analyses the organisation's strategic priorities, the external environment, distinctive advantages, challenges, internal environment, strategic fit, critical assumptions and risks, and expected results at output and outcome levels. There are detailed logical framework matrixes for each of FIDA's five programme areas.

Some donors require those organisations they support to undertake strategic planning and external evaluation of programmes. They are prepared to extend support in these areas. This is an important nudge that promotes organisational growth.

Civic education providers should strengthen organisational structures

Civic education providers should strengthen their organisational structures because strong organisations are more efficient in civic education provision. In 2001, Ford Foundation gave a grant to Peat Marwick, an audit and management consultancy firm, to assess a sample of their grantees in the East Africa region and identify areas and issues, both programmatic and institutional, that they need to work on. Ford Foundation may provide support to their grantees to address areas of weakness identified by the consultants. From 2001, the Embassy of Sweden has contracted PricewaterhouseCoopers to carry out a pre-disbursement assessment of their grantees. The assessment involves an appraisal of institutional and programmatic strengths and weaknesses. Issues that need to be addressed are pointed out in the assessment reports.¹⁷⁰

Civic education providers should establish a central depository for civic education materials

To enhance productive sharing of resources, civic education providers should consider establishing, individually or collaboratively, an easily accessible central depository for civic education materials. One of the existing networks on civic education discussed above or one of the four consortia under the National Civic Education Programme can take this role. A cyber-based resource centre should be explored.

Evolving dynamism

Because of the dynamism of civil society organisations involved in civic education, they have been able to design coping mechanisms that have effectively seen them operate in spite of the barriers they face. There is nothing to suggest that this dynamism will not continue in the coming days.

A micro-level study should be conducted to investigate in detail the coping strategies addressed here and to assess the cross-organisational relevance of these strategies.

¹⁷⁰ The Legal Resources Foundation underwent the pre-disbursement assessment in 2001.

CHAPTER SEVEN

7.0 APPROACHES AND METHODOLOGIES FOR DELIVERING CIVIC EDUCATION IN KENYA

7.1 *Overview*

This section explores the different approaches and methodologies that are used in civic education by civic education providers. There are two questions to be answered here. The first concerns the past approaches and methodologies that were used by CSOs to deliver civic education. The second question relates to exploring whether some approaches and methodologies are more effective than others in the provision of civic education. Because the civic education discussed here is an aspect of adult education, the approaches, and methodologies that civic education providers' use are borrowed from the world of adult education.

The researchers have not come across previous studies documenting or assessing approaches and methodologies employed by civic education providers in Kenya. There are complications in assessing the effectiveness of a particular approach or methodology in the absence of baseline data on approaches and methodologies, which is often lacking. The findings discussed below are based on discussions with civic education providers and beneficiaries, review of existing literature, and observations of civic education activities.

An approach defines the broader context in which the learning process is situated. Below different approaches are analysed – the programmatic approach is contrasted with the episodic approach, the participatory approach is contrasted with a non-participatory approach, and the training of trainers approach is contrasted with the direct training approach. Different approaches are frequently combined together in one programme or activity.

A methodology is a specific tool that a trainer uses to pass on information, skills, and attitudes to the 'learner'. Some of the newer methodologies discussed below are participatory theatre, mock trials, and caravans and processions.

7.2 *Past Civic Education Approaches and Methodologies*

Civic education approaches and methodologies reflect a great deal of experimentation

The current civic education approaches and methodologies were developed through trial and error and experimentation by civil society organisations in the past, particularly since the mid-1980s. Some of the methods were pioneered internally while others have come from outside. The civil rights movement of the United States of America and the approaches and methodologies used by the anti-apartheid movement in South Africa have been particular sources of inspiration for the civic education providers in Kenya. It has been common to hear terms such as "peaceful civil disobedience" used to describe some of the strategies and approaches used to demand change from the government. Local sources of inspiration, have come from experiences from early civic education providers such as The Public Law Institute, women's organisations such as National Council of Women of Kenya, and Oxfam (UK). Some of these will be identified below.

Civil disobedience approaches and strategies tend to be used by civil society organisations in national level campaigns aimed at fundamental changes. In the past such approaches have been used to mobilise large sections of society for mass action. Civil disobedience strategies were used to agitate for a multi-party state in 1991 and for changes in the constitution in 1996 and 1997. They included mass rallies, worker strikes, disruption of transport and religious based activities such as all night prayer sessions.

Local approaches and methodologies were pioneered by organisations such as the Public Law Institute. A key feature of some of these early initiatives is the fact that there was an interface between civic education providers and programmes and the Development Education Programme (DEP).¹⁷¹ Civic education providers were able to take advantage of the work that DEP had already done in educating and mobilising communities. This link is not much in evidence in today's civic education initiatives, but a more in-depth study would need to be done to ascertain any links that may exist between DEP and current civic education initiatives.

Joint initiatives between DEP and civic education included legal education initiatives among the Masai nomadic pastoralist group in Liotokitok Division, Kajiado District in 1987. The training occurred among members of the Rombo Group Ranch. The Group Ranch Educational Programme (GREP) a local NGO facilitated the training. The training was delivered mainly as lectures which was the favoured method among NGOs during this time. These lectures tended to be well received by the target communities because, these communities were very often hearing about modern law and their rights and obligations for the first time.

In 1989/90, Oxfam initiated a project aimed at developing legal educational manuals for women. In this case the DEP connection was evident from the participation of GRAIL representatives who were founders of DEP together with the Catholic Church. The manuals were developed in a participatory manner in close collaboration with selected women groups that were partners with Oxfam. The project embarked on a process that combined legal education and information gathering among women in communities in Kisumu, Eldoret, Kitui and Kangemi. The manuals included a manual for trainers, which emphasised a variety of methods, which had been tested on the partners. These included, lectures, role-play, use of local case studies from the trainees and from newspapers as a means of generating discussion. There was a great deal of emphasises on improvisation on the part of the trainers.¹⁷²

In 1987, the Public Law Institute launched a Women's Rights Awareness Project (WRAP). One of the objectives of WRAP was to raise awareness among women about their legal rights. "...It is a presumption of most legal systems that the citizen is aware of her rights and obligations under the law. This assumption is rarely true of any country. It is totally unattainable in a historical context in which the legal system is alien-imposed from a different socio-cultural political context..."¹⁷³

The campaign focused on violence against women and combined a poster campaign in Nairobi. Posters with the message "Violence Against Women is Against the Law" were attached to buses of the Kenya Bus Service (KBS) and were distributed throughout the city in this way. The posters were both in English and Kiswahili. A media campaign using both the electronic and print media was also launched to further highlight the plight of women victims of violence. An evaluation of the poster campaign revealed mixed success. Although the posters were on the whole well received, the issue of poor visual literacy meant that many members of the public were unable to interpret the

¹⁷¹ See paragraphs *** to *** for a discussion of the Development Education Programme.

¹⁷² Betty Wamalwa, *Report on the Women and Law Development Field Visits*, 1990.

¹⁷³ Mary Adhiambo Mbeo, Oki Ooko-Ombaka Eds., *Women and the Law in Kenya*, 1989 p xvi.

picture on the posters. While the use of classic Kiswahili words in the posters, which were not in common usage, limited the poster's ability to communicate its message to the public.

An Institute for Education in Democracy meeting for civic education providers, held in 1994, provides further information on the approaches and methods that have been used to deliver civic education in the past. In a section aimed at drawing lessons for example, the report notes that 'there is a need for specialisation among organisations' and finds that the 'Release Political Prisoners was effective because it isolated a key issue and mobilised around it...'¹⁷⁴.

The report also focuses on voter education approaches, methodologies, and materials that were developed and used during elections in the past including the multi-party election of 1992. In discussing these issues, the facilitator of the session notes that the approaches that predominated for delivering voter education were in the form of published materials, which were distributed among constituencies. The fact that the election date was only released a few weeks to the election, meant that approaches employed were limited to those that could reach the largest number of people at in the shortest time frame. In most cases printed visual materials were seen as the best option. The list of types of printed material employed in the voter education campaigns included published booklets, pamphlets, brochures; periodic voter education magazines; pictorial illustrations and instructional Visual Aids; and newspaper articles, and advertisers' announcements.¹⁷⁵

7.3 Effective Approaches and Methodologies in Civic Education

7.3.1 Effective Approaches

The programmatic approach vis-à-vis the episodic approach

Programmatic approach

Civic education may be implemented in a programmatic or episodic approach. In the programmatic approach, civic education is delivered in a structured process, which involves conceptualisation, target identification, needs assessment, curriculum and materials design, training, documentation, monitoring and evaluation, and impact assessment. The whole process is multilevel, pre-planned, and goal oriented. The civic education provider seeks to achieve a measurable impact in a defined area of operation, e.g. district, division, village, etc. The programme may target more than one cluster of people and use a variety of methodologies. Some paralegal, human rights monitoring, community mobilisation, and advocacy programmes are examples of the programmatic approach to civic education.¹⁷⁶

A proposition that a civic education organisation is utilising a programmatic approach may only be affirmed upon a micro-level study of its work. The programmatic approach requires long-term involvement because the approach sees civic education as a process that takes time to take root.

¹⁷⁴ Institute for Education in Democracy, *Towards a Common Curriculum for Civic Education Workshop Report* p 11.

¹⁷⁵ Institute of Education in Democracy, *ibid.* appendix five p 2.

¹⁷⁶ Several organisations in Kenya run paralegal training programmes; they include Kituo Cha Sheria, Legal Resources Foundation, People Against Torture, International Commission of Jurists, several dioceses of the Catholic Church, Education Centre for Women and Democracy, and the League of Kenya Women Voters. For a detailed review of some of their programmes, see South Consulting, *Kenya Civil Society Programme: Review of Access to Justice Projects*, 2001, a report commissioned by the Department for International Development in Eastern Africa.

This itself requires long-term planning and commitment by civic education providers and donor agencies.

Episodic Approach

The episodic approach may share some of the characteristics of the programmatic approach in civic education in Kenya today but the distinguishing feature is that civic education is delivered through a one-off activity, e.g. a workshop, video show, or a theatre performance and there is no structured follow up.¹⁷⁷

Participatory approach vis-à-vis non-participatory approach

Participatory approach

Civic education providers in Kenya have not delineated what a 'participatory approach' is. Part of the difficulty is that participation is a process that takes time and is defined by local circumstances. However, one can *characterise* the approach. A *participatory* approach is one in which the agenda, and the process, of civic education is developed and implemented in consultation with and involvement of the target/beneficiaries. In the USAID study, the authors reach a similar conclusion when they write that a participatory approach is one in which 'the beneficiaries are involved in some aspect of the planning and/or delivery of the programmes'.¹⁷⁸ The more participatory an approach is, the more the consultation and involvement of the beneficiaries.

The following manifestations contribute towards a conclusion that an approach is or is not participatory: carrying out participatory research to ascertain the pressing needs of the target/beneficiaries, designing a programme strategy and interventions that respond to the pressing needs identified by the target/beneficiaries, in a training of trainers' approach involving the target/beneficiaries in selection of those to be trained, and use of participatory learning methodologies. Others are involving the target/beneficiaries in the design and implementation of monitoring and evaluation strategy and tools and continuing reflection on the achievements and challenges of the programme.

The USAID study recommends that participatory methods be encouraged and supported; it further recommends a micro-level analysis to assess the variety of participatory methods that exist in Kenya and attempt to identify the ingredients and types which contribute most to effectiveness in civic education.¹⁷⁹

Civic education providers and civic education beneficiaries express a preference for participatory civic education. Participatory approaches are non-passive. In the USAID Kenya study alluded to

¹⁷⁷ Mr Anthony Njui of the Justice and Peace Commission of the Kenya Episcopal Conference in Kenya characterises the episodic approach as the 'kamikaze' or 'terrorist' approach, a phraseology that reveals the dramatics and short-termism of the episodic approach. Contribution by Anthony Njui during a brainstorming meeting on civic education held at Landmark Hotel Nairobi on 27th September 2001. See also Dart Thalman, Heather Sutherland, et.al., *Civic Education Study for Kenya*, 1997, (a study commissioned by USAID Kenya), at p 15 where the authors of the report characterise the approach as 'hit-and-run'.

¹⁷⁸ Dart Thalman et.al. *ibid.*

¹⁷⁹ Dart Thalman et.al. *ibid.*

above, all the civic education organisations surveyed claimed to use 'participatory methodologies'.¹⁸⁰

Non-participatory approach

In a non-participatory learning approach (also called the formal, or passive, approach), the starting point is the superior knowledge of the teacher. 'Students' are supposed to be ignorant; their role is to sit quietly as they take the teachers notes. The best student is the one able to 'bank' the teacher's ideas and reproduce them, sometimes word for word, when called upon to do so.¹⁸¹

Training-of-Trainers (TOT) approach vis-à-vis direct training approach

Training of trainers approach

Training of trainers is an approach in which the civic education provider trains a small group of people on civic issues and those trained train others. The key advantage is the multiplier effect; one person is trained who in turn trains others.

There are three fundamentals in an effective training of trainers approach. First, adequate time and resources should be directed to selection of those to be trained. The criteria for selecting trainees, and the process of actually selecting them, should be developed in close consultation with the local community. Those to be trained may be required to demonstrate knowledge of a particular language, be of a certain age, be active members of a local community group, demonstrate a record of voluntary community work, command respect and possess credibility in the community, and possess specified attributes. Gender and ethnic quotas may be established. Second, the training provided should be relevant, comprehensive, and effectively delivered given the expected roles of those trained. Use of baseline surveys, training needs assessment, and careful selection of facilitators are important. Third, there should be effective post-training support provided.¹⁸² Post training support may involve refresher-training, provision of basic materials such as writing materials, and provision of transport allowances or transport facilities like bicycles.

Direct training approach

In the direct training approach, the civic education provider targets and reaches the end user (beneficiary) of civic education. Thus, if the targets are rural women, the provider will use its in-house trainers to reach rural women. The key advantage of this approach is that the civic education provider has direct and immediate quality control over the process and content of civic education. However, the resources (financial and human) of the provider can easily become over-stretched.

Community based approach vis-à-vis non-community based approach

It is more effective (cost and time wise) to use a delivery approach that utilises existing community structures rather than developing a parallel structure. Religious organisations and community-based groups are the most common local structures on which other civic education providers ride-on.

¹⁸⁰ See Dart Thalman, *ibid.* See also minutes of a focus group discussion with the Kangemi Paralegal Network, group of community based civic education providers, held on 25th September 2001. The paralegals cited participatory methodologies as the best.

¹⁸¹ For a more detailed discussion of the banking concept, see Paulo Freire, *Pedagogy of the Oppressed*, 1996 from p 54.

¹⁸² Adapted from Kenya Human Rights Commission, *Constitutional Review Project Evaluation Report*, 2001, at p 15.

There are several reasons, and advantages, for riding-on religious organisations. Religious organisations are known and respected among the local population, they have a readily accessible constituency, namely the membership, and they are relatively 'safe' from interference by the authorities.¹⁸³ However, while progressive mainstream religious groups may welcome and support civic education work, non-mainstreams ones may not.¹⁸⁴

7.3.2 Effective methodologies used in civic education

The numbers of effective methodologies civic education providers have used are many. The methodologies include lectures (participatory and non-participatory), role-plays, case studies, brainstorming, panel discussions, debates, and puppetry. There is an increasing body of literature documenting methods of teaching human rights, which is a sub sector of civic education. *Learning and Teaching Material Unit 1-4* is a collection of materials collated for the International Commission of Jurists (ICJ) for the Workshop on Paralegal Training in Africa held from 8-12th October 1991 in Banjul, The Gambia. From the Philippines, there is a comprehensive compendium titled *The Paralegal as a Popular Educator* (PTSC, 1995) published by the Paralegal Training Services Centre. A respected South African scholar, David McQuoid-Mason has also written a short paper titled *Teaching Human Rights*, presented during the African Human Rights Education Workshop held in Addis-Ababa between in 1995.

Not all methods are appropriate for all types of audiences. The civic education facilitator needs to be flexible and adapt their teaching methods appropriately where necessary. Importantly, teaching methods should be culturally relevant to the learner. Examples used should be drawn from the local environment; it can be alienating to use examples drawn from cash crop farming in a pastoral community.

Lectures are the most commonly used methodology. Previous studies have shown that only short well-delivered lectures have an impact. Civic education providers talk about 'participatory' lectures but it is unclear what this means. To some, it is about allowing members of the audience to ask questions. To others, it is about using visual aids during the lecture.

Participatory Theatre is increasingly emerging as the methodology of choice for civic education. In the last four years, the Centre for Governance and Development, Kenya Human Rights Commission¹⁸⁵, Legal Resources Foundation, and the Citizens Coalition for Constitutional Change report using theatre in civic education work. CRE-CO, one of the consortia implementing the National Civic Education Programme, is undertaking a nation-wide theatre programme. There is wide preference for participatory theatre as opposed to 'straight theatre'.¹⁸⁶ In participatory theatre, the artist-teacher engages in an educational dialogue with the audience (learners).

¹⁸³ This argument is developed in more detail in Dart Thalman, Heather Sutherland, et. al. al. al. al at p 15.

¹⁸⁴ For example, while mainstream Churches such as the Catholic Church, the Anglican Church, and the PCEA have consistently supported constitutional reform, non-mainstream ones have not. In one incident, non-mainstream churches sought to block the Constitution of Kenya Review Commission from its work ostensibly because they had been left out; they latter withdrew that case. See the *Daily Nation*, ***.

¹⁸⁵ In its annual report for 2000-2001, the Kenya Human Rights Commission reports that the Commission trained 8 community based theatre groups on human rights issues to enable them conduct human rights outreach activities in their respective communities. The Commission works with groups in Korogocho, Ugunja, Ndula, Makongeni, and Kangemi. To illustrate the impact of its theatre work, the Commission reports that following one of its performances in which a brutal Chief's action were re-enacted, the area District Officer ended up transferring the area Chief. See Kenya Human Rights Commission, *Annual Report (2000-2001)*.

¹⁸⁶ In 'straight theatre', artists rehearse their lines from a written script and during a performance, recall these lines. There is no dialogue between the artists and the audience.

Participatory theatre is most effective when the issues raised are relevant to the audience, the main message in the drama is clear, and the drama is delivered in a language that the target audience understands well (including mother tongue languages). In addition, the artist-teacher has to be reasonably knowledgeable about the issues in the drama. There has to be dialogue and discussion between the artist-teacher and the audience-participants, the message in the drama has to be reinforced with 'carry home' packages, such as a poster, booklet, cassette, etc and the drama has to be interesting to watch and participate in.

A **role-play** is an activity in which somebody pretends to be someone else e.g. a doctor or a police officer and to say and do as a doctor or police officer would. For example, when role-playing a police officer arresting a suspect, you would talk with the authority, sometimes with the arrogance, of a police officer. If you think that police officers unnecessarily beat up suspects, in the role-play you will behave like that. Role-playing is a good methodology for practising new skills that have been learnt or developing new behaviour. For example, after a session on democratic leadership skills, a role-play in which the learner role-plays a local chief conducting a village *baraza* will indicate the extent to which they have learnt the new skills.

In a **role-play**, there is no script to memorise or read from but the facilitator will indicate clearly which role you are expected to play (e.g. a courteous police officer, a violent criminal, a victim of domestic abuse, a dictatorial leader, etc). Props are not required and those that are necessary can be easily improvised. A role-play should have a topic (the theme of discussion), specific roles, materials required for the role-play, and instructions for presenting the role-play. For a role-play to be effective, the role-play topic and roles should be relevant to the discussion, roles assigned should be clear to the role-players, and there should be guide questions to assist in group discussion or to review the role play.

In **puppetry**, puppets (animal or human shaped contraptions) are manipulated by a puppeteer to communicate a particular message by speaking or acting in a particular way. The puppets *purport* to speak or act; in fact, it is the puppeteer who does so. Puppetry, the art of working with puppets, is a new and promising methodology in civic education but has a longer history in the HIV-AIDs Sector. Puppets are suited to small audiences.

'**Mock trials**' which are also known as moot courts is another of the 'newer' methodologies in civic and human rights education in Kenya. In a mock trial, one uses the adversarial forum of a court of law to debate contentious issues of the day. For example, to debate whether authorities can prohibit civic education activities, you can have a mock trial in which a civic education provider is charged with undertaking an illegal activity. In the process of determining the 'guilt' or 'innocence' of the accused, the laws in question, and the environment in which the laws operate will be explored in detail. Law school based organisations like the Law Forum and Lep-Sheria as well as the Legal Resources Foundation and Coalition on Violence Against Women (COVAW) report having used mock trials successfully.

Other 'non-traditional' methods are the use of **exhibitions** and public events such as **camel caravans** and **processions**. In October 2001, for example, the Centre for Governance and Development hosted a two-day exhibition during which civic education providers were able to exhibit their civic education materials to outsiders. There were several panel discussions on aspects of civic education as well as a theatre performance during the exhibition. Each year, COVAW stages public educational activities on gender issues under the banner '16 days of activism'. In 2000, the Kenya Human Rights Commission hosted a human rights photo exhibition on 10th December 2001, the

International Human Rights Day.¹⁸⁷ Northern Aid, a non-governmental organisation working in Northern Kenya is one of the groups using camel caravans to deliver civic education. The caravan consists of camels, a trainer, and support staff, who reach out to nomadic pastoral communities. This is an example of a culturally relevant methodology.

7.4 Conclusion

Civic education providers can use several complimentary approaches. The best approach is one that combines the best aspects of different approaches. Similarly, the diverse methodologies are not mutually exclusive but can be used to creatively complement each other.

7.5 Recommendations regarding approaches and methodologies in civic education

Promoting participatory programmatic approaches

A programmatic approach to civic education is the most effective and should be encouraged and supported. The programmatic approach is enhanced if it is also participatory.

A focussed study on the effectiveness of particular participatory civic education methodologies should be done

A micro-level study of particular participatory methodologies should be carried out in order to consolidate learning on their effectiveness and areas of improvement. The results of such a study – a compendium on effective methodologies – should be widely shared among civic education providers.

Training on participatory civic education methodologies

Civic education providers should encourage and promote conceptual and practical understanding of participatory civic education methodologies. Inter-sector methodology workshops can provide a useful opportunity for positive sharing of ideas. Local and regional internship programmes should be encouraged. Younger organisations can benefit by sending their trainers to intern with older local groups. Regional internship programmes to civic education organisations in developed and developing democracies should also be encouraged.

¹⁸⁷ See the Kenya Human Rights Commission, *Annual Report (2000-2001)* p 15.

CHAPTER EIGHT

8.0 REVIEW OF FORM AND CONTENT OF CIVIC EDUCATION MATERIALS IN KENYA

8.1 Overview

This section looks at the range of civic education materials that are available. Appendix 6 contains a matrix that records these materials in terms of title, description, year of publication, and publishing organisation. This list is not exhaustive.

The repeal of Section 2A of the Constitution in 1991, thereby allowing for the existence of more than one political party, and the subsequent multiparty elections in 1992, was a watershed period in civic education in Kenya. This was the first competitive election in Kenya since 1963. Organised civic education and electoral monitoring activities were implemented by CSOs, with donor funding. One of the immediate outputs of these activities was a wide range of civic education materials. The second multiparty party elections, held in 1997, also spurred the generation of additional materials. This survey documented up to [172] materials developed between 1992 to 2001.

Materials available fall into four main categories. *Research reports* are developed after an in-depth study of a particular issue. The Kenya Human Rights Commission and FIDA Kenya have continuing research programmes, and periodically publish research reports. Research and advocacy reports contain recommendations directed at policy makers, principally the government. The International Commission of Jurists report entitled, *The Political Economy of Ethnic Clashes in Kenya* explores the motivations for ethnic clashes in Kenya. *Training manuals* are for use by a trainer to pass on knowledge, information, skills, and attitudes to the 'learner'. Examples include the National Civic Education Programme's *Making Informed Choices*, a *Trainers Manual for Civic Education* and the Catholic Church's Justice and Peace Commission's *Civic Education Manual*. *Booklets* convey particular information to the targeted reader usually without the need for a trainer. Most of the materials reviewed fall under this category. Examples are People Against Torture's *Your Aid Against Torture* and the Citizens Coalition for Constitutional Change's *What the Constitution Means to You*. *Periodicals* are magazines on civic issues published from time to time, examples being *Mtetezi* by Release Political Prisoners and *Young Voice* by Legal Resources Foundation. In addition, there are *posters*, *stickers*, and *audio/visual tapes*.

The findings and recommendations below are based on a review of a sample of civic education materials and interviews with a sample of civic education providers and beneficiaries.

8.2 Findings on Civic Education Materials

Until recently, there has been no organised common curriculum for civic education

Over the years, civic education providers carried out their work without a common curriculum. In 2001 several civic education organisations organised into four consortia working within the National Civic Education Programme, have developed a detailed curriculum for civic education titled '*Making Informed Choices, A curriculum for civic education*'. These consortia are Civic Education for Marginalized Communities (CEDMAC), Constitution and Reform Education Consortium (CRE-CO),

Ecumenical Civic Education Programme (ECEP), and the Gender Consortium. The National Civic Education Programme is an initiative that promotes broad based civic education. Today, the NCEP curriculum is the most comprehensive curriculum on non-formal civic education in Kenya. Because civic education is dynamic, this curriculum will need to be revised from time to time. Efforts should be made to popularise the curriculum even after the present efforts at Constitutional reform are completed. In the long term, the NCEP curriculum needs to inform efforts at institutionalising civic education by incorporating it in the formal school curriculum.

Most of the civic education materials are single-issue

More than 75 per cent of existing civic education materials deal with single issues. The materials mainly cover one of the following issues/topics: gender,¹⁸⁸ constitution and constitution making,¹⁸⁹ voting and electoral practices,¹⁹⁰ law and human rights,¹⁹¹ and democracy and governance.¹⁹²

'*Making Informed Choices, A Handbook for civic education*' (2001) is the most comprehensive material on civic education. Published by the consortia that developed '*Making Informed Choices, A curriculum for civic education*', the handbook has detailed coverage of four issues that are at the core of civic education; these are, building the nation, respecting the will of the people, living by the constitution, and governing for development. The four corresponding topics are: nationhood and nation building; state, democracy and democratisation; constitutions, constitutionalism, and democratisation; and the practice of governance. The handbook is designed to convey information in a non-partisan way. The over-emphasis on non-partisanship makes the handbook appear academic and dry. Those who read and use the handbook will almost certainly interpret it in the light of their social, economic, and political worldview.

Most civic education materials are affordable

Most of the materials are available free of charge. Though a number of organisations are beginning to talk about cost recovery, most have not effected this for their materials. One practical difficulty

¹⁸⁸ For example, Centre for Governance and Development, *Affirmative Action, The Promise of a New Dawn*, 1998; Clation, *An Introduction to Gender, Law and Society*, 2001; Collaborative Centre for Gender and Development, *Gender and Democracy, An Analysis of Kenya's Political Parties Manifestos*, 1996; Education Centre for Women in Democracy, *Bringing Beijing Home*, 1997; Kenya Human Rights Commission *Mainstreaming Gender*, 1999; Collaborative Centre for Gender and Development, *Making Gender Count in the National Budget*, 1999.

¹⁸⁹ For example, Centre for Governance and Development, *Bunge, You and the Constitution*, 1997; Centre for Governance and Development, *How IPPG Reforms Affect You*, 1999; Centre for Governance and Development, *Kenya's Constitutional Evolution -1895-2000*, 2001; Legal Resources Foundation, *Reforming Our Constitution*, 1999; Kenya Human Rights Commission, *Majimboism, Ethnic Cleansing, and Constitutionalism in Kenya*, 1994.

¹⁹⁰ For example, Centre for Governance and Development, *Bunge, You and Elections*, 1997; Citizens Coalition for Constitutional Change, *Elections and Democracy*, 1997; Institute of Education in Democracy, *Electoral Environment in Kenya*, League of Kenya Women Voters, *Women and Democracy, A Voters Handbook*, 1997; Kenya Human Rights Commission, *Killing the Vote*, 1998; Institute of Education in Democracy, *National Elections Data-Book 1963-1997*.

¹⁹¹ For example, FIDA, *The Women Guide to Law*, 2001; Kenya Human Rights Commission, *Women and Land Rights in Kenya*, 1998; People Against Torture, *Your Aid Against Torture*, 2001; Kituo Cha Sheria, *Are You A Protected Tenant*, 1996; Legal Resources Foundation, *Paralegal Training Manual Vol. 1 - 3*, 1996-2000; Lep-Sheria, *Principles of Criminal Liability in Kenya*, 1998; Release Political Prisoner's Pressure Group, *The Irrigation Act, an Instrument of Tyranny*, 2001.

¹⁹² For example, International Commission of Jurist, *Good Governance and Accountability in Kenya*; Centre for Governance and Development, *Economic Liberalisation and the People*, 2001; National Council of Women of Kenya, *Engendering Governance*, 1998; Institute of Economic Affairs, *Kenya at the Crossroads, Scenarios for Our Future*, 2001.

provider organisations have is that their targeted audience may not afford even nominal charges for the materials.

Most of the civic education materials are available only in English

More than 80 per cent of civic education materials - booklets, posters, and stickers - sampled are only available in the English Language. For that reason, a majority of the citizenry particularly in rural areas may not be able to fully use them. It is important that more materials be made available in the Kiswahili language and local languages in order to reach a wider readership. This is particularly important for Making Informed Choices, A Curriculum for Civic Education and Making Informed Choices, A Handbook for Civic Education.

Out of the sample, the Ecumenical Centre for Justice and Peace had the biggest number of Kiswahili titles (four). Some of the Kiswahili materials available include Kina Mama na Democrasia (League of Kenya Women Voters), Kenya Tuitakayo: Model Constitution (Citizens Coalition for Constitutional Change), Wewe na Uongozi (Ecumenical Centre for Justice and Peace), Kufikia Katiba: Mwongozo wa Mafunzo ya Mageuzi ya Katiba (Ecumenical Centre for Justice and Peace), lelewe Katiba Yako (NACEFCO), Mwongozo wa Sheria Kwa Wanawake (FIDA), Njia ya Kufikia Katiba Mpya (4Cs), Tuibadili Katiba Yetu (Legal Resources Foundation), and Wewe na Kura Yako (Ecumenical Centre for Justice and Peace).

Most civic education materials are not user-friendly

More than half of the civic education materials reviewed is not user-friendly. However, recent materials tend to be user-friendlier than the older ones. User friendliness encompasses many things. The following features are notable of the more recent materials. First, there is wide use of sketches and cartoons. Secondly, end user materials are packaged as A5 booklets, which makes handling easier. Third, bigger and more readable fonts are used. Fourth, case studies are used in the text.¹⁹³ Fifth, both English and Kiswahili versions of the materials are bound together, so that readers can use the language they are most comfortable with.¹⁹⁴ Sixth, their increasing use of message development workshops for civic education and human rights materials.¹⁹⁵

Civic education materials have tended to duplicate each other

Duplication is the norm rather than the exception when it comes to civic education materials. Materials developed by different organisations on the same topics are invariably similar. This pattern can be attributed to the fact that civic education organisations may not always know what others have done in the past, since there has been no organised depository for civic education materials. It is also possible that some duplication occurs out of 'necessity'. This can be for two reasons. First, an organisation may learn too late in the process that materials similar to the ones it wants to publish have already been, or will soon be, published; in such an event, it is difficult to avoid duplication. Secondly, an organisation may have committed itself to a donor to produce materials on a particular issue but later learns that such material is already available. If the donor is not willing to negotiate and give the organisation room to do other materials, duplication will be inevitable.

¹⁹³ One example of a user-friendly booklet we came across is FIDA's *The Women's Guide to Law*, 2001.

¹⁹⁴ See for example Legal Resources Foundation, *Reforming Our Constitution/Tuibadili Katiba Yetu*, 1997.

¹⁹⁵ The Kenya Human Rights Commission reports using message development workshops to prepare materials for the project titled Constitution Reform Education. See the Kenya Human Rights Commission, *Constitutional Reform Project Evaluation Report*, 2001 p.

There is poor monitoring of the distribution of civic education materials

Most civic education providers have not in the past given sufficient attention to monitoring the distribution of civic education materials. Indeed, there is invariably no coherent distribution strategy nor are there distribution records. It is thus difficult to assess the reach of distribution.

Most civic education materials are printed in small quantities and therefore poorly distributed

Civic education providers have tended to produce civic education materials in small quantities, which limits their overall reach. This is often a function of limited funding. The result is that the unit cost of publishing is very high, thereby resulting in a high cover price when the materials are to be sold.

There is in general no evaluation strategy for most civic education materials

Among the organisations that we surveyed, we noted that civic education organisations lack a clear strategy to evaluate the effectiveness of civic education materials they produce. Of the materials reviewed for this study, only those from the Ecumenical Centre for Justice and Peace address the evaluation issue by including a cut-out evaluation form for users to give their feedback.¹⁹⁶ Consequently, it is possible that materials that are more recent continue to have the drawbacks of earlier ones.

8.3 Conclusion

- A wide diversity of civic education materials is in existence though some of the materials are outdated and needs content and layout revisions. Still, those who propose to do civic education materials can benefit immensely from reviewing the materials that already exist.

8.4 Recommendations on Civic Education Materials

Kiswahili language materials should be promoted

Serious efforts should be directed to ensure that civic education end user materials are predominantly in Kiswahili rather than English language.¹⁹⁷ Consideration should be given in particular to translating at least into Kiswahili the set of civic education materials developed in 2001 by civic education organisations and the National Civic Education Programme (the curriculum, the handbook, and the trainers guide).

¹⁹⁶ *Multi-partism-Without Democracy, A challenge for the Voter*, 2001; *Kufikiria Katiba, Mwongozo wa Mafunzo ya Mageuzi ya Katiba*, 1999; and *Wewe na Kura Yako, Kitabu Cha Mpigaji Kura*, 1999), published by the Ecumenical Centre for Justice and Peace, has a cut-out questionnaire. The questionnaire asks for comments on whether the language used is simple or difficult, whether stories and illustrations used communicate the message of democracy and elections, whether the booklets met their expectations, and what else they would like to know concerning democracy and elections in Kenya.

¹⁹⁷ One possibly cost effective strategy is to print English and Kiswahili versions of civic education materials back to back. This is what the Legal Resources Foundation has done with the booklet 'Reforming our Constitution/Kuibadili Katiba Yetu'.

Distribution of civic education materials should be monitored

Civic education organisations should develop a strategy for distribution of civic education materials. Such a strategy should clearly delineate which materials will be distributed where, for what target, and whether or not the materials will be for sale. Clear documentation on distribution should be maintained.

It is important that civic education materials are evaluated by the end users, and their feedback incorporated in subsequent materials.

Annex 1

List of Civic Education Providers 1990 to 1997

Name of Org.	Type of Org.	Org. Mission	Civic education areas of focus	Activity location by district	Target group
1. Centre for Governance & Development (CGD).	NGO dealing with civic education	Democracy Strengthening	Promotion of Democracy through CE/ Legal Education and Rights Awareness	Kenya	Policy makers Government Private sector
2. Youth Agenda (YA)	NGO	Youth Policy	Promotion of democratic principles with youth as a focus/ Voter education and election monitoring	Organise seminars All-over Kenya	Youth
3. Women's Rights Awareness Programme (WRAP)	NGO	Gender violence	Gender, legal, social, economic empowerment of women/Paralegal training, Legal aid and advocacy	Kenya/Women	Women
4. National Commission the Status of Women (NCSW)	NGO for women empowerment	Advancement of women	Advance the status of women through civic education; gender sensitisation, lobbying & networking with like-minded organisations. Gender sensitisation, legal and political education	Kenya/Women	Women through women's organisations
5. Institute for Education in Democracy (IED)	NGO for promoting Democratic principles	Civic education	Political empowerment of women youth peer training on civic education Voter education Election monitoring. Voter education and election monitoring	National	Policy Makers Public and Private Sector Other CSOs
6. Public Law Institute (PLI)	NGO/Public legal Organisation	Public interest legal support	Provide legal representation to those unable to represent themselves (because of financial or other inability). Youth law project Sexual abuse Democracy scholarships Legal empowerment for	Kenya	Kenyans/The poor and marginalised in particular

			the informal sector Consumer Legislation Environmentalism Youth and law, sexual abuse prevention Advocacy and democracy scholarship		
7. International Federation of Women Lawyers (FIDA)	NGO		-Enhance & protect women's rights through legal education, advice, rights awareness & representation, legal aid, monitoring and report writing.	Kenya	Women/Policy makers/Legal institutions/The Police
8. League of Kenya Women Voters	NGO for promoting Women welfare	Women's political participation	Increase participation of women in the political process & in public affairs. Publication and training	Kenyan women voters	Kenya women voters
9. International Commission of Jurists(ICJ)	NGO promoting legal ideas	Public legal education	Promotion & projection of the rule of law. Promotion of human rights promotion of democracy Paralegal training	National/Meru/Emb u	Policy makers Public
10. Civic Resource & Information Centre (CRIC)	NGO for citizens Empowerme nt.	Civic education	Promote civic education Conflict Management	Kenya	Public without access to justice
11. Agency for Development Education & Communication (ADEC)	NGO	Civic education	Assist in social ,economic & political development of Kenya through citizen training Capacity building Training of civic education provider primarily churches	Most parts of Kenya apart from Rift valley N.E Provinces	Works mainly with providing CE capacity to religious sector
12. Development & Peace Network (PeaceNet)	Provide an advocacy platform for legal and human rights NGO	Advocacy for civic education providers	Sensitise people through media and peace program avoid repeat of clashes Media outreach, publications		Conflict prone areas and population groups
13. The Coalition on Violence against Women Kenya	Promote eradicating of violence against women. Create awareness of legal services available to women.	Women's right	Observe 16 days of activism Annually. Agitate for laws that Protect women. Undertake school outreach programs. Lobby and advocacy for women's right	National	Women and men
14. Kenya Pastoral	NGO for	Pastoralist	Agitating for a responsive	N.E	Pastoralists

Forum	enhancing democratic ideals	Advocacy	government. Advocate for the minority (pastoralists rights & goals) Land tenure advocacy, resources centre and radio communication	Province Narok Kajiado Turukana.	
15.Kituo cha Sheria.	NGO for legal /human rights	Provision of legal aid and legal education	Paralegal training, material publishing, legal aid and school outreach		Poor & marginalised without access to justice
16.Citizen Coalition for Constitution Change.	NGO dealing with democratization	Democracy strengthening	Democratization in terms of Administration &Governance Election monitoring and constitutional review	National	Policy makers/public
17. Greenbelt Movement	NGO	Environmental conservation	Environmental conservation and protection Alleviation of poverty Urban based civic education. Rural based civic education. Anti-corruption campaigns, information dissemination and rural confidence building programs	Urban & rural Areas/National	Women primary focus/policy makers/public
18. Education Centre women in Democracy (ECWD)	NGO for civic Education (promoting democratic governance)	Women and civic education	Civic education Assist women to achieve their political aspirations Rough research , Communication training and civic education. Rights awareness Candidate identification and training, internship peace building	Rift Valley Province	Population in Rift Valley Province/Conflict prone areas in this province
19. Kenya Anti-rape Organisation	NGO for women welfare	Policy Advocacy	Protect women from violence Policy advocacy (sexual violence and gender inequality)	National wherever victims of sexual violence are to be found	Women victims of sexual assault/police/policy makers
20.Institute of Civic Education and Development (ICEDA)	NGO	Civic education	Voter education and election monitoring	Nyanza Province	Public/ Nyanza province
21.Kenya Human Rights Commission (KHRC)	NGO	Human rights	Monitoring human rights violations, human rights advocacy, programs on land rights, women's rights and political prisoners, research	Kenya	Kenyans
22.Legal Resources Foundation (LRF)	NGO	Legal education and promotion of citizenry participation	Right awareness through media, school outreach and paralegal training	Kenya	Marginalised communities/urban rural/youth

		in governance and the democratic process			
23 Presbyterian Church of East Africa	Church	Christian Education	Voter education and human rights advocacy	National Org./Congregation s of PCEA	Members of PCEA
24. St Joseph the Workers Parish	Church	Overall community welfare- spiritual, health, human rights	Voter education	Change High density Neighbourhood/Na irobi	Change Residents in Nairobi
25. Young Women's Christian Association (YWCA)	NGO	National Organisation	National Organisation	National	Young women members of YWCA

SOURCE: USAID CIVIC EDUCATION STUDY (1997) AND NGO COUNCIL RECORDS

Annex 2

Annex 2

LIST OF CIVIC EDUCATION PROVIDERS, 2001

Name of organisation	Location/Headquarters	Year Established	Type of Org.	Civic Education Area of Focus	Activity location by District	Target Group
1. Centre for Governance & Development (CGD)	Nairobi		NGO dealing with civic education	Promotion of Democracy through CE	Kenya	Kenyans
2. Youth Agenda (YA)	Nairobi		NGO	Promotion of democratic principles with youth as a focus	Organise seminars All-over Kenya	Kenyans
3. Women's Rights Awareness Program (WRAP)	Nairobi		NGO	-Gender, legal, social, economic empowerment of women	Kenya	Kenyans
4. National Commission the Status of Women (NCSW)	Nairobi		NGO for women empowerment	Advance the status of women through civic education; gender sensitisation, lobbying & Networking with like-minded organisations.	Kenya	Kenyans
5. Institute for Education in Democracy (IED)	Nairobi		NGO for promoting Democratic principles	Political empowerment of women youth peer training on civic education Voter education Election monitoring.		
6. Public Law Institute (PLI)	Nairobi		Public law firm	Provide legal representation to those unable to represent them selves (because	Kenya	Kenyans

				of financial or other inability. Youth law project Sexual abuse Democracy scholarships Legal empowerment for the informal sector Consumer Legislation Environmentalism		
7. International Federation of Women Lawyers (FIDA)	Nairobi		NGO	-Enhance & protect women's rights through legal education, advice, rights awareness & representation, legal aid, monitoring and report writing.	Kenya	Kenyans
8. League of Kenya Women Voters	Nairobi		NGO for promoting Women welfare	Increase participation of women in the political process & in public affairs.	Kenya	Kenyans
9. International Commission of Jurists(ICJ)	Nairobi		NGO promoting legal ideas	Promotion & projection of the rule of law. Promotion of human rights promotion of democracy	Kenya	Kenyans
10. Civic Resource & Information Centre (CRIC)	Nairobi.		NGO for citizens Empowerment.	Promote civic education	Kenya	Kenyans
11. Agency for Development Education & Communication (ADEC)	Nairobi		NGO	Assist in social ,economic & political development of Kenya through citizen training Capacity building	Most parts of Kenya apart from Rift valley N.E Provinces	Kenyans
12. Development & peace NETWORK	NGO for promoting human rights		Provide an advocacy platform for legal and human rights NGO	Sensitise people through media and peace program avoid repeat of clashes		
13. The Coalition on Violence	NGO for promoting		Promote eradicatin	Observe 16 days of activism		

against WOMEN Kenya	women rights as human rights		g of violence against women. Create awarenes s of legal services available to women.	Annually. Agitate for laws that Protect women. Undertake school outreach programs.		
14. Kenya pastoral forum	Child welfare building ,Langata Rd. Madaraka Estate ,next to motherland motors used car sales yard)		NGO for enhancing democrati c ideals	Agitating for a responsive government. Advocate for the minority (pastoralists rights & goals)	N.E Province Narok Kajiado Turukana.	Pastoralist s
15. KITUO CHA SHERIA.	Kituo Cha Sheria offices		NGO for legal matters			
16. Citizen Coalition for Constitution Change.	4Cs offices		NGO dealing with democrati sation	Democratisation in terms of Administration &Governance	Kenya	Kenyans
17. Greenbelt Movement	GBM offices The Adams Arcade		NGO	Environmental conservation and protection Alleviation of poverty Urban based civic education. Rural based civic education.	Urban & rural Areas	Kenyans
18. Ford foundation	Transnational plaza 6 th fl. city hall way		A social Science agency which is knowledg e generatio n & supports innovative activities	Gender Democratic values General rights awareness University based research aimed at generating information. Government/other policy development Implementation of Support capacity building	Kenya	Citizen groups NGOs Governme nts Universitie s
19. SIDA	International Hse, Nairobi		Donor agency	Support capacity building	Nairobi & Outside (most activities are rural based)	NGOs/Pro jects Mass media
20. Education Cent women in Democracy(EC WD)	ECWD offices; Ngong Rd.		NGO for civic Education (promoting democrati	Civic education Assist women to achieve their political aspirations	Kenya	Kenyans

			c governanc e)	Rough research , Communication training and civic education. Rights awareness		
21.	AALC		Donor agency	Democracy ,transparency within trade unions Empowerment of citizens and promote participatory approaches among members & leaders	Kenya	Kenyans
22. Kenya anti- rap organisation	Kibera, on Kibera Dr.		GO for women welfare	Protect women from violence	Kenya	Kenyans
23. Hanns- Seidel-Stiftung	Bishan plaza Mpaka Rd.		Donor	Civic education Emphasise NGO accountability Through visits ,trailers Training ,publications Encourage participant centred	Nairobi & outside	Kenyans
24. Pastorislist Community Development. Org.	Marsabit		NGO		Kenya	Kenyans
25. Ragwe Literacy Community Services Projects	Homabay		NGO		Kenya	Kenyans
26. Community Education and Development Network.	Nairobi		NGO dealing with Communit y Develop.		Kenya	Kenyans.
27. CEDEV	Bunyore.		NGO		Kenya	Kenyans
28. Matumaini Youth Group	Nairobi		NGO		Kenya	Kenyans
29. BEACON/APFO R	Nairobi		NGO		Kenya	Kenyans
30. Building Eastern Africa Community Network	Nairobi		NGO		Kenya	Kenyans
31. Endorois Community	Marigat		NGO		Kenya	Kenyans
32. KENASU	Nairobi		NGO		Kenya	Kenyans
33. Dupoto ee Maa	Kajiado		NGO		Kenya	Kenyans

34. St. Judes Counseling Centre	Nairobi		NGO		Kenya	Kenyans
35. Makueni paralegal coordinator	Makueni		NGO		Kenya	Kenyans
36. Disability Awareness	Nairobi		NGO		Kenya	Kenyans
37. Likajoni Juakali association	Nairobi		NGO		Kenya	Kenyans
38. ICPSK	Nairobi		NGO		Kenya	Kenyans
39. Legal Recourse Foundation	Nairobi		NGO		Kenya	Kenyans
40. World Neighbours	Nairobi		NGO		Kenya	Kenyans
41. Ecumenical Centre for Justice and Peace	Nairobi		NGO		Kenya	Kenyans
42. Association for Accounting Technicians of Kenya	Nairobi		NGO		Kenya	Kenyans
43. Youth Federation for Work Peace	Nairobi		NGO		Kenya	Kenyans
44. Law society of Kenya	Nairobi		NGO		Kenya	Kenyans
45. Centre for The Advancement for Women and Children	Nairobi		NGO		Kenya	Kenyans
46. Centre for The Advancement for Women and Children	Nairobi		NGO		Kenya	Kenyans
47. CAWAC	Nairobi		NGO		Kenya	Kenyans
48. ECWD	Nairobi		NGO		Kenya	Kenyans
49. WOWESOK	Nairobi		NGO		Kenya	Kenyans
50. USAID	Nairobi		NGO		Kenya	Kenyans
51. KITUO CHA SHERIA	Nairobi		NGO		Kenya	Kenyans
52. CREDO	Machakos		NGO		Kenya	Kenyans
53. ECWD	Nairobi		NGO		Kenya	Kenyans
54. Release Political Prisoners	Nairobi		NGO		Kenya	Kenyans
55. Media Consultants	Nairobi		NGO		Kenya	Kenyans
56. Endorois W.M.Committee	Marigat		NGO		Kenya	Kenyans
57. WOWESOK	Nairobi		NGO		Kenya	Kenyans
58. ICPSKS	Nairobi		NGO		Kenya	Kenyans
59. Embassy of Sweden	Nairobi		NGO		Kenya	Kenyans
60. Kenya	Garsen		NGO		Kenya	Kenyans

Pastoralist Forum						
60. World Neighbours	Nairobi		NGO		Kenya	Kenyans
61. East Africa Standard	Nairobi		NGO		Kenya	Kenyans
62. Kenya Broadcasting Corporation	Nairobi		NGO		Kenya	Kenyans
63. Northern Aid	Nairobi		NGO		Kenya	Kenyans
64. Legal Resources Foundation	Nairobi		NGO		Kenya	Kenyans
65. APSEA/4cs/NCE C	Nairobi		NGO		Kenya	Kenyans
66. CLEAN	Nairobi		NGO		Kenya	Kenyans
67. Social Economic Development Program	Embu		NGO		Kenya	Kenyans
68. NCKK	Nairobi		NGO		Kenya	Kenyans
69. Kenya broadcasting corporation	Nairobi		Government Organisation		Kenya	Kenyans
70. Social Democratic Party	Nairobi		Political Party		Kenya	Kenyans
71. National Council of Churches of Kenya	Nairobi		NGO		Kenya	Kenyans
72. ActionAid(K)	Nairobi		NGO Donor Agency		Kenya	Kenyans
73. CRECHE	Nairobi		NGO		Kenya	Kenyans
74. CRECO	Kisumu		NGO		Kenya	Kenyans
75. Collaborative Centre for Gender and Development	Nairobi		NGO		Kenya	Kenyans
76. Kenya Pastoralists Forum	Nairobi		NGO		Kenya	Kenyans
77. 4cs	Nairobi		NGO		Kenya	Kenyans
78. Young Muslim Association	Nairobi		NGO		Kenya	Kenyans
79. Child Devt. & Research Consultancy	Nairobi		NGO		Kenya	Kenyans
80. Public Law Institute	Nairobi		NGO		Kenya	Kenyans
81. Womankind(K)			NGO		Kenya	Kenyans
82. Consultant	South Africa		NGO		Kenya	Kenyans
83. Undugu Society	Nairobi		NGO		Kenya	Kenyans

84. Youth Agenda	Nairobi		NGO		Kenya	Kenyans
85. African Philanthropy Initiative	Nairobi		NGO		Kenya	Kenyans
86. Southern Network for Environment & Devt.	Nairobi		NGO		Kenya	Kenyans
87. ECJP	Nairobi		NGO		Kenya	Kenyans
88. 4cs	Nairobi		NGO		Kenya	Kenyans
89. MAPACA	Makueni		NGO		Kenya	Kenyans
90. SEDEP	Nairobi		NGO		Kenya	Kenyans
91. World Cares Association	Nairobi		NGO		Kenya	Kenyans
92. ECWD	Embu		NGO		Kenya	Kenyans
93. ACEWE	Nairobi		NGO		Kenya	Kenyans
94. Namanco Exam Ltd.	Nairobi		NGO		Kenya	Kenyans
95. CIDA	Nairobi		NGO		Kenya	Kenyans
96. Muungano Wa Wanavijiji	Nairobi		NGO		Kenya	Kenyans
97. Electoral Commission of Kenya	Nairobi		NGO		Kenya	Kenyans
98. Organisation of African Independent Churches	Nairobi		NGO		Kenya	Kenyans
99. League of Kenya Women Voters	Nairobi		NGO		Kenya	Kenyans
100. ECWD	Eldoret		NGO		Kenya	Kenyans
101. Grassroots Women Association of Kenya	Nairobi		NGO		Kenya	Kenyans
102. Grassroots Women Association of Kenya	Nairobi		NGO		Kenya	Kenyans
103. American Centre for International Labour Solidarity	Nairobi		NGO		Kenya	Kenyans
104. Women Political Caucus	Siaya		NGO		Kenya	Kenyans
105. NGO's Council	Nairobi		NGO		Kenya	Kenyans
106. SODNET	Nairobi		NGO		Kenya	Kenyans
107. Widows and Orphans Welfare Association of Kenya	Nairobi		NGO		Kenya	Kenyans
108. NCSW	Nairobi		NGO		Kenya	Kenyans
109. IDRC	Nairobi		NGO		Kenya	Kenyans
110. Windows and Orphans Welfare			NGO		Kenya	Kenyans

Association of Kenya						
111. Asis Promotions	Nairobi		NGO		Kenya	Kenyans
112. University of Bristol	Nairobi		NGO		Kenya	Kenyans
113.	Eldoret		NGO		Kenya	Kenyans
114.	Eldoret		NGO		Kenya	Kenyans
115. CLARION	Nairobi		NGO		Kenya	Kenyans
116. CLARION	Nairobi		NGO		Kenya	Kenyans
117. Youth Agenda	Nairobi		NGO		Kenya	Kenyans
118. Womankind Kenya	Garissa		NGO		Kenya	Kenyans
119. IED	Nairobi		NGO		Kenya	Kenyans
120. KAACR	Nairobi		NGO		Kenya	Kenyans
121. Muslim Consultative Council	Nairobi		NGO		Kenya	Kenyans
122. Kenya Alliance for Advancement of Children	Nairobi		NGO		Kenya	Kenyans
123. Institute for Education in Democracy			NGO		Kenya	Kenyans
124. Save the Children Canada	Nairobi		NGO		Kenya	Kenyans
125. Federation of women Groups	Nyamira		NGO		Kenya	Kenyans
126. Federation of women Groups	Nyamira		NGO		Kenya	Kenyans
127. Gender Sensitive Initiatives(GSI)	Nairobi		NGO		Kenya	Kenyans
128. Young Women Christian Association	Nairobi		NGO		Kenya	Kenyans
129. United Disabled Persons of Kenya	Nairobi		NGO		Kenya	Kenyans
130. Shirika La Elimu Na Maendeleo	Wundanyi		NGO		Kenya	Kenyans
131. Crescent of Hope	Nairobi		NGO		Kenya	Kenyans
132. Mazigira Institute	Nairobi		NGO		Kenya	Kenyans
133. Young Women Christian Association	Nairobi		NGO		Kenya	Kenyans
134. CEEWA/GWAK E	Nairobi		NGO		Kenya	Kenyans

135. Foundation for the Devt. of African Culture	Nairobi		NGO		Kenya	Kenyans
136. Muliro Centre for Human Rights & Democracy	Nandi		NGO		Kenya	Kenyans
137. ECWD	Iten		NGO		Kenya	Kenyans
138. Community Motivator	Iten		NGO		Kenya	Kenyans
139.	Nairobi		NGO		Kenya	Kenyans
140. ECWD	Kitale		NGO		Kenya	Kenyans
141. ActionAid(K)-Kariobangi	Nairobi		NGO Donor Agency		Kenya	Kenyans
142. Pastoralist Community Devt. Organization	Marsabit		NGO		Kenya	Kenyans
143. ECWD	Mumias		NGO		Kenya	Kenyans
144. Labour Caucus	Nairobi		NGO		Kenya	Kenyans
145. Kudheihia	Nairobi		NGO		Kenya	Kenyans
146. Maendeleo ya Wanawake	Bomet		NGO		Kenya	Kenyans
147. ECWD	Sotik		NGO		Kenya	Kenyans
148. ECWD	Moi's Bridge		NGO		Kenya	Kenyans
149. ECWD Liten Catholic Parish	Liten		NGO		Kenya	Kenyans
150. National Youth Movement	Nairobi		NGO		Kenya	Kenyans
151. Makueni Civic Education Group	Nairobi		NGO		Kenya	Kenyans
152. National Student Council on Peace	Nairobi		NGO		Kenya	Kenyans
153. Victoria Cultural Society	Kisumu		NGO		Kenya	Kenyans
154. Kenya Rural Builders Action	Nairobi		NGO		Kenya	Kenyans
155. Romporito Poghisho Self Help Group	Kapenguria		NGO		Kenya	Kenyans
156. Sherika La Elimu Na Maendeleo	Werugha		NGO		Kenya	Kenyans
157. Professional Technical Consultants	Nairobi		NGO		Kenya	Kenyans
158. CREDO	Nairobi		NGO		Kenya	Kenyans
159. Centre for Human Rights & Civic Education	Mwingi		NGO		Kenya	Kenyans
160. Kenya	Garissa		NGO		Kenya	Kenyans

Pastoralist Forum						
161. ICJ	Meru		NGO		Kenya	Kenyans
162. ICJ	Meru		NGO		Kenya	Kenyans
163. ILISHE	Mombasa		NGO		Kenya	Kenyans
164. ICJ	Meru		NGO		Kenya	Kenyans
165. Pastoralists Community Devt. Org.	Marsabit		NGO dealing with community development. Devt.		Kenya	Kenyans
166. Ragwe Literacy & Comm Service Project	Ragwe		NGO		Kenya	Kenyans
167. ActionAid	Isiolo		NGO Donor Agency		Kenya	Kenyans
168. Organisation of African Institute of Churches	Nairobi		NGO		Kenya	Kenyans
169. Focus on Disability Awareness (FAMDAD)	Nairobi		NGO		Kenya	Kenyans
170. World Neighbours	Voi		NGO		Kenya	Kenyans
171. Matumaini Youth Group	Village Market Nairobi		NGO		Kenya	Kenyans
172. Kenya Society for the Disabled	Nairobi		NGO		Kenya	Kenyans
173. Kenya Pastoralist Forum	Meru		NGO		Kenya	Kenyans
174. Muliro Centre For Human Rights & Democracy	Kitale & Eldoret		NGO		Kenya	Kenyans
175. Kenya National Union Teachers	Nairobi		NGO		Kenya	Kenyans
176. ActionAid (K)			NGO		Kenya	Kenyans
177. Revival Crusade Church	Homabay		NGO		Kenya	Kenyans
178. Friends of Nomads International			NGO		Kenya	Kenyans
179. ECWD	Ngong Hills		NGO		Kenya	Kenyans
180. E.C.W.D.- Nakuru	Nakuru		NGO		Kenya	Kenyans
181. E.C.W.D.- Nakuru	Nakuru		NGO		Kenya	Kenyans
182. Kenya National	Naivasha		NGO		Kenya	Kenyans

Chambers of Commerce & Industry- Nyandarua						
183. Kenya Women Political Caucus Gender & Policy Advocate	Nairobi		NGO		Kenya	Kenyans
184. NGO Council			NGO		Kenya	Kenyans
185. 4Cs	Nairobi		NGO		Kenya	Kenyans
186. Kireti Women Organisation	Wundanyi		NGO		Kenya	Kenyans
187. Institute of Civic Affairs and Development	Nairobi		NGO		Kenya	Kenyans
188. NGOs Council	Nairobi		NGO		Kenya	Kenyans
189. Youth Environmental Concern	Nairobi & Eldoret		NGO		Kenya	Kenyans
190. The Psychological, Education Counseling Environment.	Nairobi		NGO		Kenya	Kenyans
191. Muungano Wa Wanavijiji	Nairobi		NGO		Kenya	Kenyans
192. Kaya Ecological & Cultural Organisation	Mombasa		NGO		Kenya	Kenyans
193. Labour Caucus	Nairobi		NGO		Kenya	Kenyans
194.	Ainaboi		NGO		Kenya	Kenyans
195. NGOs Council	Nairobi		NGO		Kenya	Kenyans
196. Maa Devt. Assoc.	Narok		NGO		Kenya	Kenyans
197. Kaya Ecological & Cultural Organisation	Mombasa		NGO		Kenya	Kenyans
198. NCEC	Nairobi		NGO		Kenya	Kenyans
199. NGOs Council	Nairobi		NGO		Kenya	Kenyans
200. S.i.l.i.g.i.	Nyanyuki		NGO		Kenya	Kenyans
201. NGOs Council	Nairobi		NGO		Kenya	Kenyans
202. Nyakach Community Devt Assoc.	Kisumu		NGO		Kenya	Kenyans
203. ECWD	Kedowa		NGO		Kenya	Kenyans
204. Kituo Cha Sheria	Nairobi		NGO		Kenya	Kenyans
205. ECWD	Nakuru		NGO		Kenya	Kenyans
206. American	Nairobi		NGO		Kenya	Kenyans

Centre for International Labour Solidarity						
207. CABIN- Kenya	Machakos		NGO		Kenya	Kenyans
208. Institute for Civic Affairs & Development	Nairobi		NGO		Kenya	Kenyans
209. Freelance Consultant	Nairobi		NGO		Kenya	Kenyans
210. ILISHE	Mombasa		NGO		Kenya	Kenyans

Annex 3

List of National Level Women's Organisations and Issues of Focus 1998

Name Of Organization	Focus Region On Country	FGM	Gender Rights	Constitutional Reform	Political Education	Economic Power	Peace Promotion
African Women in Agriculture and Development	National					*	
African Women's Development Communication Network	National/International		*		*		
Association for African Women for Research and Development	National/International		*				
Breastfeeding Information Group	National		*			*	
Centre for the Advancement of Women	Western Kenya/Busia District					*	
Council for Economic Empowerment of Women	National					*	
Education Centre for Women in Democracy	Rift Valley/Western/Nyanza Provinces				*		*
Federation of Women Groups (Nyamira)	Nyamira District/Nyanza Province	*					
Forum for African Women Educationalists	National/International		*			*	
Gender Sensitive Initiatives	Western Kenya/National		*			*	
International Federation of Women Lawyers	National/International		*	*	*		
Kenya Business and Professional Women's Club	National		*			*	
Kenya Medical Women's Association	National		*				

Kenya Women Finance Trust	National		*			*	
Kenya Women's Political Caucus	National		*	*	*		
Kireti Women's Organisation	Coast Province/Mutwate Division		*			*	
League of Kenya Women Voters	National		*	*	*		
Maendeleo Ya Wanawake Organisation	National	*	*	*	*	*	
National Commission on the Status of Women	National		*		*		
Sister's Women Group	Western Province		*		*		
The Family Support Institute	National		*			*	
The Women Bureau (GoK)	National	*	*	*	*	*	*
Women Kind Kenya	Garissa District	*	*				
Young Women's Christian Association	National		*			*	

Annex 4 List of Members of Civic Education Consortia 2001

The Constitutional Reform Education Consortium (CRE-CO)

1. Kenya Human Rights Commission (KHRC)
2. Education Centre for Women in Development (ECWD)
3. Release Political Prisoners (RPP)
4. Citizen Coalition for Constitutional Change (4Cs)
5. Shirika La Elimu Maendeleo (SEMA)
6. Mazingira Institute
7. Youth Agenda
8. National Convention Executive Council (NCEC)
9. St Jude's Counseling Centre
10. United Disabled Person of Kenya (UDPK)
11. Institute of Civic Affairs and Development (ICAD)
12. Pastoralist Community Development Organisation PACODEO)
14. Legal Resources Foundation (LRF)
15. Public Education and Research Centre (PERC)
16. Kaya Ecological and Cultural Education (KECO)
17. ILLISHE Trust
18. The Labour Caucus
19. Muungano Wa Wanavijiji
20. The Women Organisation

Constitutional Education for Marginalised Categories (CEDMAC)

1. Muslim Civic Education Trust (M-CET)
2. Kenya Pastoralist Forum (KPF)
3. Friends of Nomads International (FONI)
4. Northern Aid
5. Muslim Consultative Council (MCC)
6. Tana Western Resource and Management (Tana - WRECOM)
7. Survival for Pokot People's Initiative
8. Kenya Indigenous Religions (KIR)
10. UHAI - Regional Forums
11. WomanKind
12. Supreme Council of Kenya Muslims

The Ecumenical Constitutional Education Programme (ECEP)

1. National Council of Churches of Kenya (NCCK)
2. Catholic Justice and Peace Commission

The Women's Political Caucus

1. ABANTU for Development
2. African Community Education Network (ACEN)
3. AMKA
4. AAWORD
5. Association of Media Women in Kenya (AMWK)
6. Association of Sisterhoods of Kenya (AOSK)
7. The Centre for the Advancement of Women and Children (CAWAC)
8. Centre for Gender and Development - Kisumu
9. Christian Partners Development Agency (CPDA)
10. Coalition on Violence Against Women (COVAK)
11. Collaborative Centre for Gender and Development (CCGD)
12. Grassroots Women Association of Kenya (G - WAKE)
13. The Federation of Women Groups (FWG)
14. International Federation of Women Lawyers (FIDA)
15. Kangemi Women's Empowerment Centre (KWECC)
16. Kenya Female Advisory Organisation (KEFEADO)
17. Kenya Oral Literature Association (KOLA)
18. League of Kenya Women Voters (LKWVs)
19. Maendeleo Ya Wanawake Organisation (MYWO)
20. National Council of Women in Kenya (NCWK)
21. Siaya Township Women Umbrella Group (SITWOG)
22. Widows and Orphans Welfare Society of Kenya (WEWOSOK)
23. Kenya Women and Youth League (KWYL)
24. Kenya Youth Education and Community Development Programme (KYECDP)
25. Kenya Organised Women Association (KOWA)
26. Breastfeeding Information Group

Annex 5

List of Civic Education Provider Organisations that Participated in the Institute for Education in Democracy (IED) Workshop on Civic Education. June 1994

Institute for Education in Democracy	IED
International Federation of Women Lawyers (Kenya)	FIDA
International Commission of Jurists (Kenya Section)	ICJ
Legal Education Aid Programme	LEAP
Church of the Province of Kenya	CPK
Pan African Forum	PAFO
National Ecumenical Civic Education Programme	NECEP
Kenya League of Women Voters	KLWV
Release Political Prisoners	RPP
National Council of Churches of Kenya	NCKK
Theatre for Development	TFD
Rights Awareness Project	RAP
Educators for Social Responsibility	ESR
Association of African Literacy and Adult Education	AALAE
Institute for Economic Affairs	IEA
African Network for the Protection and Prevention of Child Abuse and Neglect ANPPCAN	
Kenya Institute of Education	KIE
Gender Sensitive Initiatives	GSI

Annex 6

LIST AND DESCRIPTION OF CIVIC EDUCATION TRAINING MANUALS AND MATERIALS 2001

	DESCRIPTIVE TITLE	DESCRIPTION	ORGANISATIONS	YEAR OF PUBLICATION
1	A MANUAL FOR ELECTIONS OBSERVERS	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
2	ALTERNATIVE APPROACH TO BASICS	BOOKLET	ACTION AID	
3	APPROPRIATION GUIDE FOR MPs	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
4	BEFORE THE STORM	PLAY SCRIPT	CLARION	
5	BILLS DIGEST	PERIODIC REPORTS	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
6	BUNGE, YOU AND ELECTIONS	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
7	BUNGE, YOU AND THE CONSTITUTION	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
8	BUNGE, YOU AND ELECTIONS	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
9	CORRUPTION, A SURVEY	RESEARCH REPORT	SODNET	
10	ELECTION OBSERVATION MANUAL	MANUAL	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	
11	ELECTORAL ENVIRONMENT IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
12	FIDA NEWS	PERIODIC NEWSLETTER	FIDA	
13	FOCUSSING ON KENYA'S	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
14	FUTURE POLICY REFORMS			
15	FREEDOM OF INFORMATION BILL 2000	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
16	GOOD GOVERNANCE AND ACCOUNTABILITY IN KENYA	BOOKLET	INTERNATIONAL COMMISSION OF JURISTS	
17	HOW IPPG REFORM AFFECTS YOU	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
18	KABLA YA DHORUBA	PLAY SCRIPT	CLARION	
19	KANZALA	PLAY SCRIPT	CLARION	
20	LEARNING TOGETHER TO BUILD ONE NATION, A PRACTICAL GUIDE ON HOW TO DO CIVIC EDUCATION	BOOKLET	DARAJA, FES	
21	MTETEZI	PERIODIC MAGAZINE	RELEASE POLITICAL PRISONERS	
22	MULTIPARTY GENERAL ELECTIONS 1992	RESEARCH REPORT	INSTITUTE OF EDUCATION IN DEMOCRACY	
23	MWONGOZO WA SHERIA KWA WANAWAKE	BOOKLET	FIDA	

24	MY VOTE MAKES THE DIFFERENCE	GUIDEBOOK	INSTITUTE OF EDUCATION IN DEMOCRACY	
25	NATIONAL ELECTIONS DATA-BOOK 1963-1997	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
26	OUR PROBLEM, OUR SOLUTION	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
27	PARALEGAL TRAINING MANUAL	TRAINING MANUAL	INTERNATIONAL COMMISSION OF JURISTS	
28	PARTIES AND FUNDAMENTAL VALUES	BROCHURE	CONRAD ADENAUER STIFFING	
29	PARTS AND BITS OF THE CONSTITUTION 1,2,3,4	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
30	PARTY STRUCTURE AND INTERNAL DEMOCRACY	BOOK	CONRAD ADENAUER STIFFING	
31	POLITICAL PARTIES AND SOCIETY	BOOK	CONRAD ADENAUER STIFFING	
32	POLITICAL PARTIES IN KENYA	BOOKLET	ADEC	
33	PROMOTING ECONOMIC DEVELOPMENT AND STRATEGIES FOR SELF RELIANCE		KAF	
34	QUARTERLY HUMAN RIGHTS REPORTS	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994-PRESENT
35	REFUGEE RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	INTERNATIONAL COMMISSION OF JURISTS	
36	RULE OF LAW REPORT	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
37	SHERIA MAGAZINE	PERIODIC MAGAZINE	LEAP-SHERIA (UNIVERSITY OF NAIROBI)	
38	THE BUDGET FOCUS	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
39	THE CONSTITUTION AND THE ECONOMY: POLICY BRIEF	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	
40	THE CONSTITUTION DEMYSTIFIED	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
41	THE KENYA JURIST	PERIOD MAGAZINE	INTERNATIONAL COMMISSION OF JURISTS	
42	THE POINT	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
43	THE POLITICAL ECONOMY OF ETHNIC CLASHES IN KENYA	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
44	THE ROLE OF AGENTS IN ELECTIONS	BOOKLET	ADEC	
45	THE STATE OF RULE OF LAW IN KENYA	RESEARCH REPORT	INTERNATIONAL COMMISSION OF JURISTS	
46	THE UN CONVENTION AGAINST TORTURE	PAMPHLET	PEOPLE AGAINST TORTURE	
47	TOWARDS SUSTAINABLE REGIONAL INTEGRATION IN EAST AFRICA: VOICES AND VISIONS	RESEARCH REPORT	CONRAD ADENAUER STIFFING	
48	TRADE NOTES	PAMPHLET	INSTITUTE OF ECONOMIC AFFAIRS	
49	TUIBADILI KATIBA YETU	BOOKLET	LEGAL RESOURCES FOUNDATION	
50	UNDERSTANDING ELECTIONS IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	
51	URBAN GOVERNANCE	BOOK	MAZINGIRA INSTITUTE	
52	VOTER EDUCATION MANUAL	TRAINING MANUAL	INSTITUTE OF EDUCATION IN DEMOCRACY	

53	WEWE NA JIRANI YAKO	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	
54	WEWE NA SHERIA	BOOKLET		
55	WOMEN AND LEADERSHIP IN KENYA	BOOKLET	KAF	
56	WOMEN OF THE WORLD	BOOKLET	FIDA	
57	YOU AND YOUR RIGHTS- YOU AND YOUR VOTE	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	
58	YOUNG VOICE	PERIODIC MAGAZINE	LEGAL RESOURCES FOUNDATION	
59	WOMEN AND LAW IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1989
60	CIVIL RIGHTS CARD	SMALL CARD	KITUO CHA SHERIA	1992
61	HAVEN OF REPRESSION	RESEARCH REPORT	KENYA HUMAN RIGHTS COMMISSION	1992
62	SLOW TORTURE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1992
63	REPORT OF THE PROCEEDING OF THE WORKSHOP ON SSAPS 1993	REPORT	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1993
64	STATE OF HUMAN RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1993
65	THE FALLEN ANGEL	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1993
66	WOMEN INITIATIVES IN KENYA'S DEMOCRATISATION	BOOKLET	NATIONAL COMMITTEE ON THE STATUS OF WOMEN IN KENYA	1993
67	CELEBRATING WOMEN'S RESISTANCE	BOOKLET	NEW EARTH PUBLICATIONS	1994
68	INDEPENDENCE WITHOUT FREEDOM	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1994
69	MAJIMBOISM, ETHNIC CLEANSING AND CONSTITUTIONALISM IN KENYA	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994
70	THE DREAM OF JUDICIAL SECURITY OF TENURE AND THE REALITY OF EXECUTIVE INVOLVEMENT IN KENYA'S JUDICIAL PROCESS	RESEARCH AND ADVOCACY REPORTS	KENYA HUMAN RIGHTS COMMISSION	1994
71	THE ROAD TO EMPOWERMENT	BOOKLET	FEMNET	1994
72	ETHNICITY AND MULTI-PARTISM IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
73	KENYA TUITAKAYO	MODEL CONSTITUTION	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1995
74	LICENSED TO KILL	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
75	PAYING THE PRICE OF OPPOSITION POLITICS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995
76	RESPONSIBLE CITIZENSHIP	BOOKLET	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1995
77	SOCIAL-CULTURAL OBSTACLES TO THE PARTICIPATION OF WOMEN IN THE DEMOCRATISATION PROCESS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1995

78	A DEATH SENTENCE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
79	ARE YOU A PROTECTED TENANT?	BOOKLET	KITUO CHA SHERIA	1996
80	BEHIND THE CURTAIN	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
81	GENDER AND DEMOCRACY, AN ANALYSIS OF KENYA'S POLITICAL PARTIES MANIFESTOS	PAMPHLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1996
82	OUR STAND ON CONSTITUTIONAL CHANGE	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1996
83	OURS BY RIGHT THEIRS BY MIGHT	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
84	THE FORGOTTEN PEOPLE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1996
85	YOU AND THE LAW	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	1996
86	YOU AND THE LEADERSHIP, UNDERSTANDING DEMOCRATIC CONSTITUTIONS	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1996
87	AN ABC OF ELECTIONS	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
88	BRINGING BEIJING HOME	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1997
89	CIVIC EDUCATION MANUAL	TRAINING MANUAL	CATHOLIC JUSTICE AND PEACE COMMISSION	1997
90	ELECTIONS AND DEMOCRACY	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
91	INFORMAL SECTOR IN KENYA, A BASELINE	BOOKLET	PUBLIC LAW INSTITUTE	1997
92	KAYAS OF DEPRIVATION, KAYAS OF BLOOD	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
93	KINA MAMA NA DEMOKRASIA	BOOKLET	LEAGUE OF WOMEN VOTERS	1997
94	LAND RIGHTS DIRECTORY	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
95	LAW AND SOCIETY	BOOKLET	INTERNATIONAL COMMISSION OF JURISTS	1997
96	NJIA YA KUFIKIA KATIBA MPYA	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
97	PRISONERS RIGHTS IN KENYA	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
98	RIGHT OF WORKERS	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
99	SHACKLED MESSENGERS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1997
100	SURVEY OF THE LABOUR LAWS	BOOKLET	PUBLIC LAW INSTITUTE	1997
101	THE RULE OF LAW IN KENYA	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
102	THE STATE OF CONSUMER LAW IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1997
103	THE STATE OF LAWS RELATING TO THE	BOOKLET	PUBLIC LAW INSTITUTE	1997

	ENVIRONMENT IN KENYA			
104	TOWARDS A NO FAULT SYSTEM OF COMPENSATION IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	1997
105	TOWARDS GENDER RESPONSIVE POLITICS	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1997
106	WEWE NA KURA YAKO	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
107	WEWE NA UONGOZI, FAHAMU VYOMBO VYA UONGOZI	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1997
108	WHAT THE CONSTITUTIONAL MEANS TO YOU	BOOKLET	CITIZENS COALITION FOR CONSTITUTIONAL CHANGE	1997
109	WOMEN AND DEMOCRACY , A VOTERS HANDBOOK	BOOKLET	LEAGUE OF KENYA WOMEN VOTERS	1997
110	WOMEN CANDIDATES IN KENYAN ELECTORAL POLITICS	BOOKLET	NATIONAL COMMISSION ON THE STATUS OF WOMEN	1997
111	A BASIC RIGHTS CHARTER	BOOKLET	BASIC RIGHTS STEERING COMMITTEE	1998
112	A WORLD OF JUSTICE FOR WOMEN	PAMPHLET	KONRAD ADENAUER STIFTUNG	1998
113	AFFIRMATIVE ACTION, THE PROMISE OF A NEW DAWN	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1998
114	DAMNED AND DEBASED	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
115	ENGENDERING GOVERNANCE	BOOKLET	NATIONAL COUNCIL FOR WOMEN IN KENYA	1998
116	IELEWE KATIBA YAKO	BOOK	NACEFCO	1998
117	KAYAS REVISITED	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
118	KILLING THE VOTE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
119	MEDIA CENSORSHIP IN A PLURAL CONTEXT	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
120	MISSION TO REPRESS	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
121	POLITICAL PARTY ORGANISATION AND MANAGEMENT IN KENYA	BOOKLET	INSTITUTE OF EDUCATION IN DEMOCRACY	1998
122	PRINCIPLES OF CRIMINAL LIABILITY	BOOKLET	LEAP-SHERIA	1998
123	RECLAIMING WOMEN'S SPACE IN POLITICS	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1998
124	REPORT ON THE 1997 GENERAL ELECTIONS	RESEARCH REPORT	INSTITUTE OF EDUCATION IN DEMOCRACY	1998
125	SHIMONI	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
126	THE RIGHT TO EDUCATION	BOOKLET	LEAP-SHERIA	1998
127	UPHOLDING HUMAN RIGHTS :THE ROLE OF THE COURTS	BOOKLET	LEAP-SHERIA	1998
128	UPHOLDING HUMAN RIGHTS: THE ROLE OF THE COURTS	BOOKLET	LEP-SHERIA	1998

129	WHERE TERROR RULES	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
130	WHO OWNS THIS LAND	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1998
131	WOMEN AND LAND RIGHTS IN KENYA	BOOKLET	KENYA HUMAN RIGHTS COMMISSION	1998
132	WOMEN CANDIDATES	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1998
133	CITIZENS AND COMMUNITIES IN THE 21 ST CENTURY	PAMPHLET	CONRAD ADENAUER STIFFING	1999
134	ECONOMY AND THE CONSTITUTION	BOOKLET	NATIONAL COUNCIL OF CHRISTIAN CHURCHES	1999
135	HAVEN OF FEAR	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	1999
136	KUFIKIRIA KATIBA, MWONGOZO WA MAFUNZO YA MAGEUZI YA KATIBA	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	1999
137	LIBERALISING TELECOMMUNICATION, EMPOWERING KENYANS IN THE INFORMATION AGE	RESEARCH REPORT	INSTITUTE OF ECONOMIC AFFAIRS	1999
138	MAINSTREAMING GENDER		KENYA HUMAN RIGHTS COMMISSION	1999
139	MAKING GENDER COUNT IN THE NATIONAL BUDGET	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	1999
140	REFORMING OUR CONSTITUTION	BOOKLET	LEGAL RESOURCES FOUNDATION	1999
141	STOP VIOLENCE AGAINST WOMEN	TRAINING MANUAL	NATIONAL COUNCIL FOR WOMEN IN KENYA	1999
142	UNDERSTANDING THE BUDGET PROCESS IN KENYA	BOOKLET	SODNET	1999
143	WANAWAKE, JUMUIA YAO, HAKI ZAO	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1999
144	WOMEN ,THEIR COMMUNITY, THEIR RIGHTS	BOOKLET	EDUCATION CENTRE FOR WOMEN IN DEMOCRACY	1999
145	CIVIC EDUCATION FOR A BETTER KENYA	BOOKLET	NATIONAL COUNCIL FOR WOMEN IN KENYA	2000
146	DYING TO BE FREE	RESEARCH AND ADVOCACY REPORT	KENYA HUMAN RIGHTS COMMISSION	2000
147	PARALEGAL TRAINING MANUAL, VOL. 1	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
148	PARALEGAL TRAINING MANUAL, VOL. 2	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
149	PARALEGAL TRAINING MANUAL, VOL. 3	TRAINING MANUAL	LEGAL RESOURCES FOUNDATION	2000
150	SETTING THE PACE	PAMPHLET	THE COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	2000
151	THE COST OF GLOBALISATION	BOOKLET	KENYA SOCIAL WATCH	2000
152	THE WOMEN'S GUIDE TO LAW	BOOKLET	FIDA KENYA	2000
153	ACTION FORUM	BOOKLET	ACTION AID	2001
154	AN INTRODUCTION TO GENDER, LAW, AND SOCIETY IN KENYA	BOOKLET	CLARION	2001

155	ECONOMIC LIBERALISATION AND THE PEOPLE, PART 1	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
156	ECONOMIC LIBERALISATION AND THE PEOPLE, PART 2	PAMPHLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
157	KENYA AT THE CROSSROADS, SCENARIOS FOR OUR FUTURE	BOOKLET	INSTITUTE OF ECONOMIC AFFAIRS	2001
158	KENYA STATE OF CORRUPTION REPORT (ISSUE NO. 4)	RESEARCH BOOKLET	CLARION	2001
159	KENYA'S CONSTITUTIONAL EVOLUTION 1895-2001	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
160	KNOW YOUR RIGHTS, YOUR RIGHTS AS GUARANTEED UNDER THE IPPG REFORMS	BOOKLET	CLARION	2001
161	MAKING GENDER COUNT IN POLICY DEVELOPMENT, STRATEGIES THAT COUNT	BOOKLET	COLLABORATIVE CENTRE FOR GENDER AND DEVELOPMENT	2001
162	MAKING INFORMED CHOICES, A CURRICULUM FOR CIVIC EDUCATION	CURRICULUM	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
163	MAKING INFORMED CHOICES, A HANDBOOK FOR CIVIC EDUCATION	HANDBOOK	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
164	MAKING INFORMED CHOICES, A TRAINERS MANUAL FOR CIVIC EDUCATION	TRAINING GUIDE	CEDMAC, CRE-CO, ECEP, AND GENDER CONSORTIUMS FOR CIVIC EDUCATION	2001
165	MFUMO WA VYAMA BILA DEMOKRASIA, MWITO KWA WAPIGA KURA	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	2001
166	MULTIPARTISM WITHOUT DEMOCRACY	BOOKLET	ECUMENICAL CENTRE FOR JUSTICE AND PEACE	2001
167	STRENGTHENING THE ROLE OF PARLIAMENT IN THE BUDGET PROCESS	RESEARCH REPORT	INSTITUTE OF ECONOMIC AFFAIRS	2001
168	THE IRRIGATION ACT, AN INSTRUMENT OF TYRANNY	BOOKLET	RELEASE POLITICAL PRISONERS	2001
169	THE KENYAN WORKER AND THE LAW	BOOKLET	KITUO CHA SHERIA	2001
170	THE POCKET CONSTITUTION IN KENYA	BOOKLET	PUBLIC LAW INSTITUTE	2001
171	THE ROLE OF PARLIAMENTARIANS IN THE IMPLEMENTATION OF INTERNATIONAL TREATIES AND CONVENTIONS	WORKSHOP REPORT	FIDA	2001
172	WHAT CONSTITUTIONAL REVIEW?	BOOKLET	CENTRE FOR GOVERNANCE AND DEVELOPMENT	2001
173	YOUR AID AGAINST TORTURE	BOOKLET	PEOPLE AGAINST TORTURE	2001

Annex 7

Mapping study- Monitoring and Evaluation of Civic Education for Review in Kenya:

TERMS OF REFERENCE

MAPPING STUDY- MONITORING AND EVALUATION OF CIVIC EDUCATION FOR REVIEW IN KENYA:

Terms of Reference and Schedule

Provide a qualitative assessment of all past civic education initiatives and, analyse the political and economic environment for civic education initiatives at the national and local level.

Specifically the Consultant is expected to among other tasks:

- a) Identify CSOs carrying out civic education and how they are spread geographically. This will highlight areas that are under-served or entirely by-passed.
- b) Establish past and current civic education activities; the breadth and depth of the content and specifically assess the accuracy of the knowledge delivered;
- c) Identify past and current approaches and methodologies used to deliver civic education with judgements and preferences by respondents/learners;
- d) Review and document the form and content of materials used in these exercises and preferences expressed by respondents/learners;
- e) Establish impediments to implementation of civic education and strategies that have been used to overcome them,
- f) Assess the impact of previous civic education activities;
- g) Assess the political and economic environment for civic education including issues around the constitution review process.
- h) Work closely with the technical Assistance Team of the Donor Steering Committee in carrying out this assignment.

Annex 8

List of People and Organisations Interviewed for Mapping Study

Civic education provider's focus group discussion held on 27th September 2001 at Landmark Hotel, Nairobi

1. Black Odanyiro, CRECO
2. Antony Njui, Catholic Justice and Peace Commission/Ecumenical Civic Education Programme
3. Wambui Kimathi, Kenya Human Rights Commission
4. Atsango Chesoni, Independent Consultant
5. Otieno Namuoga, Media Institute
6. Karuti Kanyinga, Technical Assistance Team of Donor Steering Committee
7. Rose Lukalo, Africaonline
8. Mildred Moraa, IDRC Research Assistant
9. George Mukundi, Research Assistant

Others interviewed

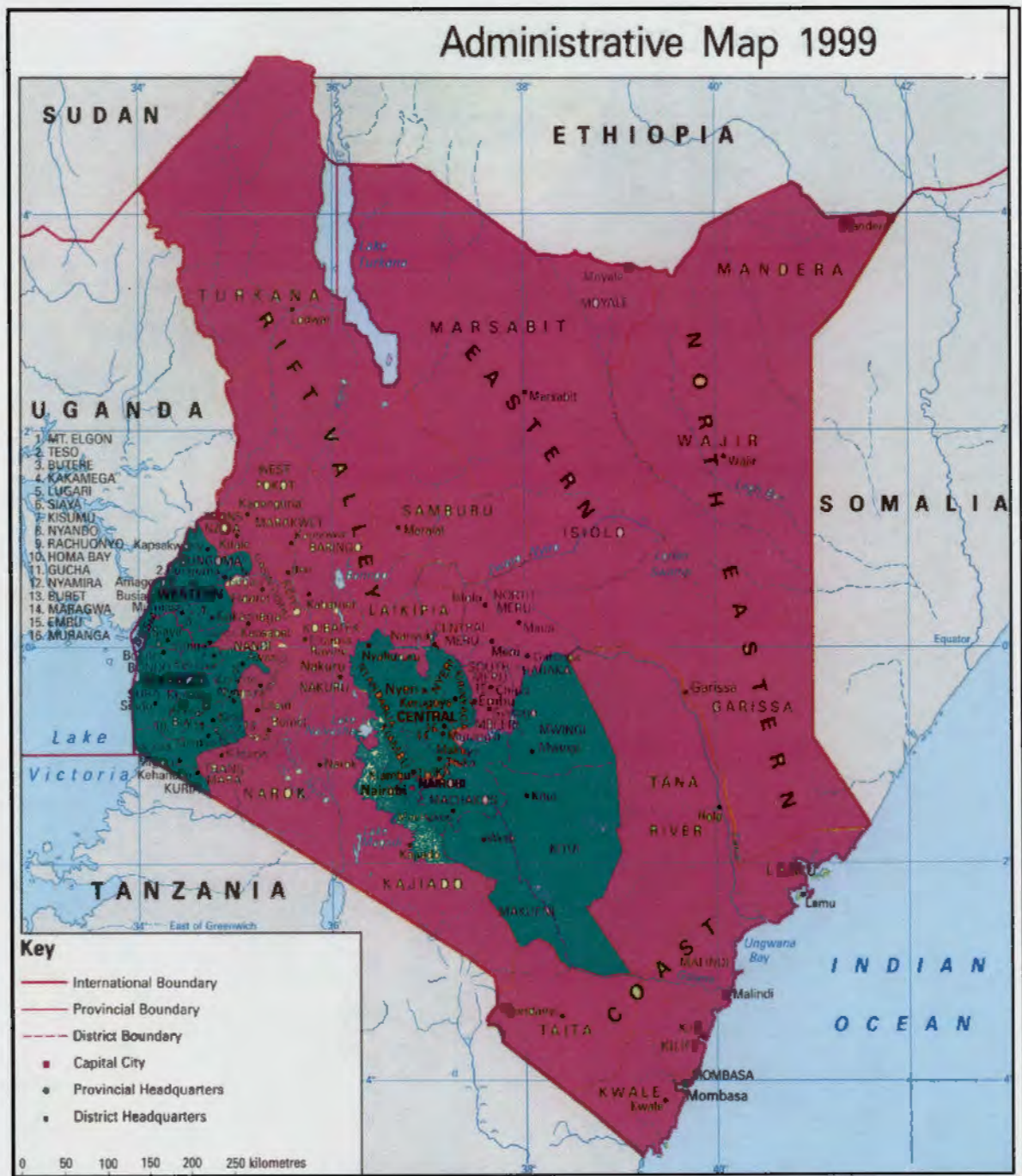
1. Tirop Arap Kitur, Coordinator, Release Political Prisoners Pressure Group
2. Antony Njui, ECEP
3. Tom Mogeni, TAT
4. Jacqueline Nyokabi, NGO Council
5. Abudalhi Abdi, Northern Aid
6. Susan McAntony, Northern Aid
7. Members of Kangemi Paralegal Network
8. Kenya Human Rights Commission

Annex 9 MAPS

Map 5.1 Distribution of Civil Society Organisations in Kenya 1963 to 1991



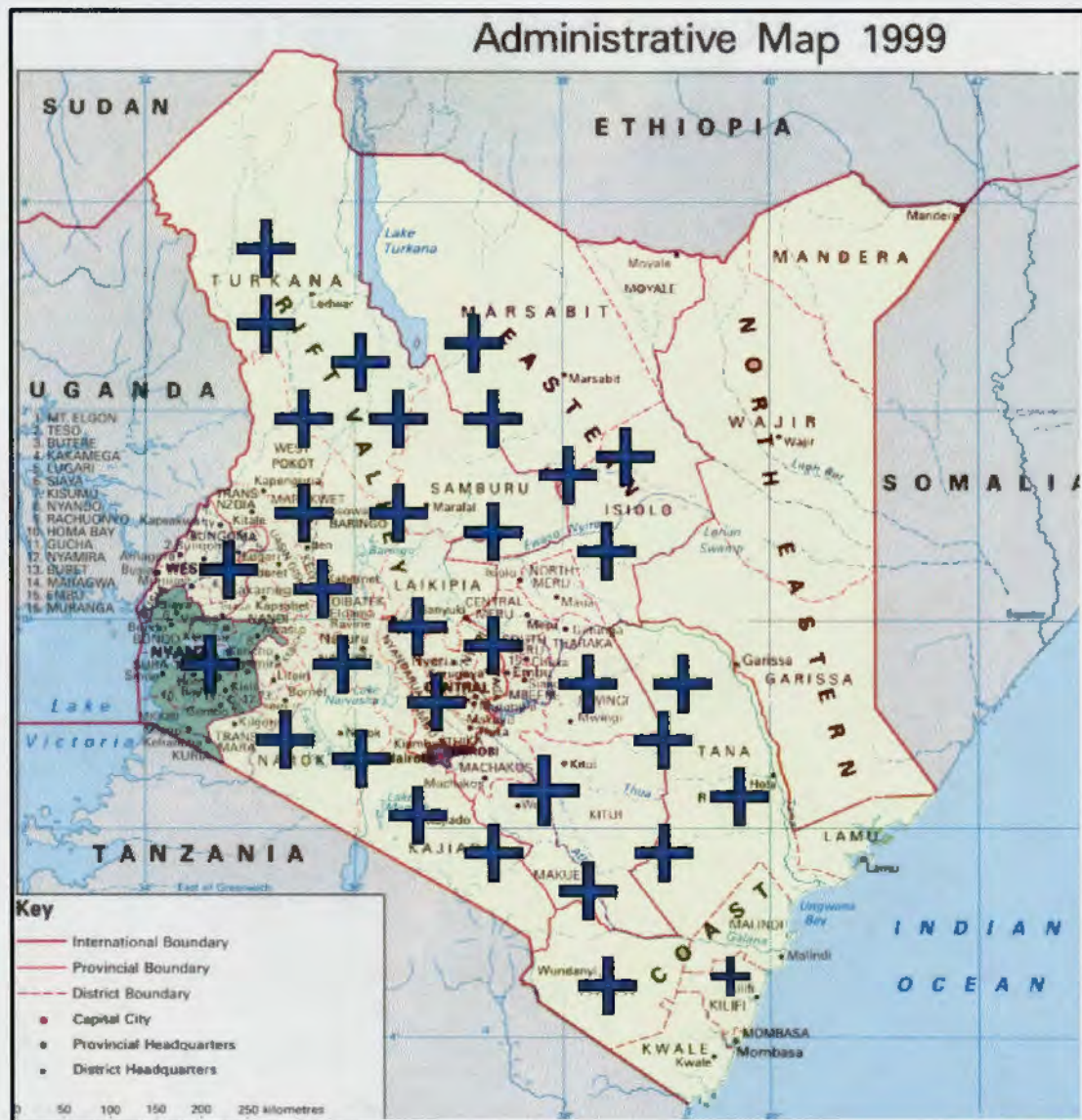
Map 5.2 Distribution of Civic Society Organisations and Civic Education Activities in Kenya 1991 to 1997



Key

- Distribution of CSOs in Kenya
- Civic/Education Activities in Kenya

Map 5.4 Distribution of Catholic diocese in Kenya in Proxy for Distribution of DEP/DELTA programme in Kenya (1993 to 1982)



+ Distribution of Catholic Diocese in Kenya

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